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**ACTS**  
OF THE  
**IMPERIAL PARLIAMENT,**

VI GEO. IV. A. D. 1825.

RELATING TO THE  
**TRADE AND INTERCOURSE**  
OF THE  
**BRITISH COLONIES AND POSSESSIONS ABROAD.**

TO WHICH ARE ADDED, IN AN

**APPENDIX,**

CERTAIN ACTS OF A PRIOR DATE, STILL UNREPEALED;

AFFECTING THE

**COMMERCE, REVENUE AND SETTLEMENT OF THE CANADAS.**

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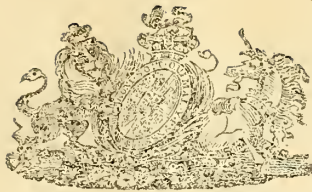
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## COLONIAL REGULATION ACTS.

### Anno Sexto Georgii IV. Regis.

CAP. LXIV.

*An Act to alter for one Year, and until the end of the then next Session of Parliament, the Duty on Wheat, the Produce of the British Possessions in North America.*  
[22d June, 1825.]

Prohibitions on the importation of Wheat, the produce of the British Possessions in North America, & the Duties payable under 55 G. 3. c. 26; & also under 3 G. 4. c. 60, &c. suspended for a limited time.

**W**HEREAS, it is expedient to permit, for a Time to be limited, the Importation of Wheat, the Produce of and imported from the *British Possessions in North America*, on the payment of a certain Duty; be it therefore enacted, &c. That for One Year from and after the passing of this Act, and further until the End of the then next Session of Parliament, all Prohibitions and Restrictions upon the Importation of Wheat the Produce of, and imported from the *British Possessions in North America*, and all Duties payable on the Importation of such Wheat under an Act passed in the Fifty-fifth George the Third, intituled, *An Act to amend the Laws now in force for regulating the Importation of Corn*; and also an Act passed in the Third of George the Fourth, intituled, *An Act to amend the Laws relating to the Importation of Corn*; or any other Act or Acts in force immediately before the passing of this Act, shall be, and are hereby suspended: and that for One Year from and after the passing of this Act, and further until the End of the then next Session of Parliament, any Wheat the Produce of and imported from the *British Possessions in North America*, shall and may be imported into the United Kingdom, whatever the Average Prices of *British* Wheat may be; any thing in the said Acts or any of them to the contrary notwithstanding; and that from and after the passing of this Act, in lieu and instead of all former Duties payable on such Wheat, there shall be levied and paid during the Period aforesaid, upon the Importation of any such Wheat, the Sum of Five Shillings for every Quarter thereof.

Instead of former Duties there shall be paid on the Importation 5s per Quarter. Regulations to be observed on the importation of such Wheat.

**II.** Enacts, That no Wheat shall be shipped from any Port in the *British Possessions in North America*, until the Owner and Proprietor thereof shall have made Oath before the Collector or Controller of the Port of Shipment, that such Wheat was the Produce of some *British* Possession in *North America*, naming the same; and that before any Wheat shall be entered in the United Kingdom as being the Produce of the *British Possessions in North America*, the Master of the Ship importing the same, shall produce a Copy of the Deposition made, signed by the Collector or Con-

troller before whom it was made, at the Port of Shipment, and make Oath before the Collector or Controller of the Port of Importation, that the Wheat is the same that was sworn to in the Deposition he produces: Provided always, that this Oath shall not be required in respect to any Wheat which shall have been shipped within Three Months after the passing of this Act.

### Anno Sexto Georgii IV. Regis.

CAP. LXXIII.

*An Act for further regulating the Trade of His Majesty's Possessions in America and the West Indies, and for the warehousing of Goods therein.* [27th June, 1825.]

**W**HEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to regulate the Trade between His Majesty's Possessions in America and other Places in America, and the West Indies*, whereby it is enacted, that it shall be lawful to import into any of the Ports in His Majesty's said Possessions, enumerated in a Schedule to the said Act annexed (marked A.), and therein denominated "Free Ports," from any Foreign Country on the Continent of *North or South America*, or from any Foreign Island in the *West Indies*, the Articles enumerated in another Schedule to the said Act annexed (marked B.), subject nevertheless to the several Duties of Customs set forth in another Schedule to the said Act annexed (marked C.), and that it shall be lawful so to import the same in certain Foreign Ships or Vessels therein mentioned, as well as in *British* Ships or Vessels: And whereas another Act was passed in the said Third Year of the Reign of His present Majesty, intituled *An Act to regulate the Trade between His Majesty's Possessions in America and the West Indies, and other Parts of the World*, whereby it is enacted, that it shall be lawful to import in any *British* Ship or Vessel, owned and navigated according to Law, from any Port in *Europe*, or *Africa*, or from *Gibraltar*, the Island of *Malta*, or the Dependancies thereof, or the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, into any of His Majesty's Colonies, Plantations, or Islands in *America* or the *West Indies*, the Articles enumerated or described in a Schedule thereunto annexed (marked A.), subject nevertheless, on Importation, to certain Duties of Customs set forth in another Schedule thereunto an-

3G. 4. c. 44.  
Intercourse with America.

3G. 4. c. 45.  
Intercourse with Europe.



nexed (marked B.): And whereas it is expedient to permit all Goods (except as hereinafter excepted) to be imported from any of the said Places into any of the said Free Ports, and to charge the same with the like Duties from whichever of the said Places the same may be imported; and also to permit any of such Goods to be so imported in Ships of the Country of which the Goods are the Produce, as well as in *British Ships*, but to confine all such Importations to the said Free Ports; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the several Schedules (marked B. and C. respectively) to the first recited Act annexed, and the several Schedules (marked A. and E. respectively) to the second recited Act annexed, and also that all Duties imposed by either of the said Acts, or by any Act passed in the Fourth Year of His said Majesty's Reign, intituled *An Act to amend an Act of the last Session of Parliament, for regulating the Trade between His Majesty's Possessions in America and the West Indies, and other Parts of the World*, shall, from and after the Fifth Day of January, One thousand eight hundred and twenty six, be repealed, and the same are hereby repealed accordingly, except so far as the same relate in any way to the Island of *Newfoundland*.

Certain Schedules of Goods and of Duties imposed by recited Acts, or by 4 G. 4. c. 2, repealed.

except as to Newfoundland.

All Goods may be imported from America, Europe, or Africa, &c.

subject to Powers in Acts 4 G. 4. c. 17. and 5 G. 4. c. 1.

Articles prohibited.

Foreign Coffee, &c. may be imported into North America.

II. And be it further enacted, That from and after the Fifth Day of *January* One thousand eight hundred and twenty-six, it shall be lawful to import into any of the said Free Ports, except in *Newfoundland*, any Goods (except as herein-after excepted) from any Foreign Place in *America* or in *Europe*, or in *Asia* within the *Mediterranean Sea*, and from any place in *Africa*, and from *Gibraltar*, and from the Islands of *Malta*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, provided such Importations be made in *British Ships*, or in Ships of the Country of which the Goods are the Produce; subject nevertheless to the powers given to His Majesty by an Act passed in the Fourth Year of His Reign, intituled *An Act to authorize His Majesty under certain Circumstances to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels, and to exempt certain Foreign Vessels from Pilotage*, and by another Act passed in the Fifth Year of His Reign, to amend the same: Provided always, that nothing in this Act contained shall extend to permit the Importation of Gunpowder, Arms, Ammunition, or Utensils of War, dried or salted Fish, salted Beef, Pork or Bacon, Whale Oil, Blubber or Fms, Books which are prohibited to be imported into the United Kingdom, base or counterfeit Coin, or any Goods the Produce or Manufacture of any Place within the Limits of the *East India Company's Charter*, into any of His Majesty's Possessions in *America* or the *West Indies*, nor Coffee, Cocoa Nuts, Sugar, Melasses, or Rum of Foreign production, into any of the said Possessions in *South America* or the *West Indies*, or into *Newfoundland*.

III. And be it further enacted, That it shall be lawful to import any Coffee, Cocoa Nuts, Sugar, Melasses, and Rum of Foreign Production, into any of the *British Possessions in North America*, except *Newfoundland*, any thing in any Act or Acts to the contrary notwithstanding: Provided always, that all Coffee, Cocoa Nuts, Sugar, Melasses and Rum, (although the same may be of the *British Plantations* having been imported in any of the *British Possessions in North*

*America*, except *Newfoundland*, shall, upon subsequent Importation from thence into any of the *British Possessions in South America* or the *West Indies*, or into *Newfoundland*, or into the United Kingdom, be deemed to be of Foreign Production, and shall be liable on such Importations respectively to the same Duties or the same Forfeitures as Articles of the like Description, being of Foreign Production, would be liable to, unless the same shall have been warehoused under the Provisions of this Act, and exported from the Warehouse direct to such other *British Possession*, or to *Newfoundland*, or to the United Kingdom, as the Case may be.

IV. And be it further enacted, That from and after the Fifth Day of *January* One thousand eight hundred and twenty-six, in lieu of the Duties hereby made to cease and determine, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, upon Importation of the several Articles enumerated or described in the Schedule of Duties to this Act annexed, into any of the said Possessions in *America* or the *West Indies*, except *Newfoundland*, from any Foreign Place in *America*, or from *Europe*, or from *Asia* within the *Mediterranean Sea*, or from any Place in *Africa*, the several Duties of Customs as the same are respectively set forth in Figures in the said Schedule: Provided always, that no greater Proportion of such Duties shall be charged upon any Article subject also to Duty under any other Act heretofore and still in force, or under any Colonial Law, than the Amount, if any, by which the Duty charged by this Act shall exceed such other Duty or Duties.

New Duties according to the Schedule.

Abating the amount of any previous Duties.

V. And be it further enacted, that the Duties imposed by this Act shall be levied, raised, applied, and abated under the same Management, and in the same Manner, and by the same Powers and Means, and under the like Penalties and Forfeitures, as the Duties imposed by the Two Acts herein-before first mentioned would be levied, raised, applied, and abated under the Provisions of those Acts respectively, except so far as the same may be altered by this Act.

Duties to be levied under Powers of former Acts.

VI. And be it further enacted, That it shall be lawful to export from any of the said Free Ports, except in *Newfoundland*, to any Foreign Country in *Europe* or *Africa*, or in *Asia* within the *Mediterranean Sea*, in any Ship belonging to such Country, any Goods being of the Growth, Production or Manufacture of such Possessions, and any Goods which have been legally imported into the same.

Exportation to Europe, &c. in Ships of the place of Destination

VII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by Order in Council, from Time to Time, when and as often as it shall be judged expedient, to prohibit the Trade and Intercourse authorized by this Act with any Country in *Europe* having Possessions in *America* or the *West Indies*, if it shall appear that the Privileges granted by this Act to Foreign Ships or Vessels are not allowed by such Country to *British Ships* or Vessels in Trade or Intercourse with the Possessions of such Country in *America* or the *West Indies*.

Power to prohibit Trade with Countries not granting similar Privileges.

VIII. And be it further enacted, That so much of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled, *An Act to make more effectual Provision for permitting Goods imported to be secured in Warehouses or other Places, without Payment of Duty on the first Entry thereof*, as enacts, that certain Goods

4 G. 4. c. 24. as relates to Goods in Schedule B. warehoused



and exported to British possessions in America repealed.

Goods and Merchandize, mentioned in a Schedule (marked B.) to that Act annexed, warehoused under the Provisions of that Act, shall not be exported from the Warehouse to any *British Colony, Plantation, Territory or Dominion in America or the West Indies*, nor be imported into any such *British Colony or Plantation*, unless and until all Duties, as well of Customs as Exercise, payable in *Great Britain or Ireland* respectively on such Goods and Merchandize for Home Consumption, shall have been paid, shall be repealed, and the same is hereby repealed accordingly.

Kingston, Halifax, & Quebec, &c. to be free warehousing Ports; and such other Ports as His Majesty shall appoint.

IX. And whereas it is expedient to constitute and appoint some of the Free Ports in *America* and the *West Indies* to be free Warehousing Ports for all Goods which may be legally imported into the said Ports respectively; and it is also expedient to empower His Majesty to constitute and appoint from Time to Time any other Ports in any of the said *British Possessions in America or the West Indies*, to be in like Manner free Warehousing Ports for such Goods as may be legally imported into such Ports respectively; and it is therefore necessary to make Regulations for the appointing of proper Warehouses at such Ports, and for the lodging and securing of Goods therein: be it therefore enacted, That the several Ports herein-after mentioned (that is to say), *Kingston* in the Island of *Jamaica*, *Halifax* in *Nova Scotia*, *Quebec* in *Canada*, *Saint John's* in *New Brunswick*, and *Bridge Town* in the Island of *Barbadoes*, shall be free Warehousing Ports for the Purposes of this Act; and that it shall be lawful for the several Collectors and Controllers of the said Ports respectively, by Notice in Writing under their Hands, to appoint from Time to Time such Warehouses at such Ports respectively as shall be approved of by them, for the free warehousing and securing of Goods therein for the Purposes of this Act, and also in such Notice to declare what Sorts of Goods may be so warehoused, and also by like Notice to revoke or alter any such Appointment or Declaration: Provided always, that every such Notice shall be transmitted to the Governor of the Place, and shall be published in such Manner as he shall direct.

Goods may be warehoused without payment of Duty.

X. And be it further enacted, That it shall be lawful for the Importer of any such Goods into the said Ports to Warehouse the same in the Warehouses so appointed without Payment of any Duty on the First Entry thereof, subject nevertheless to the Rules, Regulations, Restrictions, and Conditions herein-after contained,

Stowage of Goods in Warehouse

XI. And be it further enacted, That all Goods so warehoused shall be stowed in such Parts or Divisions of the Warehouse, and in such Manner as the Collector and Controller shall direct; and that the Warehouse shall be locked and secured in such Manner, and shall be opened and visited only at such Times, and in the Presence of such Officers, and under such Rules and Regulations as the Collector and Controller shall direct; and that all such Goods shall, after being landed upon Importation, be carried to the Warehouse, or shall, after being taken out of the Warehouse for Exportation, be carried to be shipped, under such Rules and Regulations as the Collector and Controller shall direct.

Locking and opening Warehouse

Carrying Goods to & from Warehouse.

XII. And be it further enacted, That upon the Entry of any Goods to be warehoused, the Importer of such Goods, instead of paying down the Duties due thereon, shall give Bond, with Two sufficient Sureties,

Bond upon Entry of Goods to be warehoused.

to be approved of by the Collector or Controller, in Treble the Duties payable on such Goods, with Condition for the safe depositing of such Goods in the Warehouse mentioned in such Entry, and for the Payment of all Duties due upon such Goods, or for the Exportation thereof, according to the First Account taken of such Goods upon the landing of the same; and with further Condition, that no part thereof shall be taken out of such Warehouse until cleared from thence, upon due Entry and Payment of Duty, or upon due Entry for Exportation; and with further Condition, that the whole of such Goods shall be so cleared from such Warehouse, and the Duties upon any Deficiency of the Quantity, according to such First Account, shall be paid within Two Years from the Date of the First Entry thereof; and if after such Bond shall have been given, the Goods or any Part thereof, shall be sold or disposed of, so that the original Bond shall be no longer interested in or have Control over the same, it shall be lawful for the Collector and Controller to admit fresh Security to be given, by the Bond of the new Proprietor, or other Person having Control over such Goods, with his sufficient Sureties, and to cancel the Bond given by the original Bond of such Goods, or to exonerate him to the Extent of the fresh Security so given.

Purchaser of Goods may give Bond in lieu of original Bond.

XIII. And be it further enacted, That if any Goods which have been entered to be warehoused shall not be duly carried and deposited in the Warehouse, or shall afterwards be taken out of the Warehouse without due Entry and Clearance, or having been entered and cleared for Exportation from the Warehouse, shall not be duly carried and shipped, or shall afterwards be re-landed, except with Permission of the proper Officer of the Customs, such Goods shall be forfeited.

Goods entered to be warehoused and not deposited, &c. to be forfeited.

XIV. And be it further enacted, That upon the Entry and Landing of any Goods to be warehoused, the proper Officer of the Customs shall take a particular Account of the same, and shall mark the Contents on each Package, and shall enter the same in a Book to be kept for that purpose; and no Goods which have been so warehoused shall be taken or delivered from the Warehouse, except upon due Entry, and under Care of the proper Officers for Exportation, or upon due Entry and Payment of Duty for Home Use; and whenever the whole of the Goods warehoused under any Entry shall be cleared from the Warehouse, or whenever further Time shall be granted for any such Goods to remain warehoused, an Account shall be made out of the Quantity upon which the Duties have been paid, and of the Quantity exported, and of the Quantity (to be then ascertained) of the Goods still remaining in the Warehouse, as the Case may be, deducting from the whole the Quantity contained in any whole Packages (if any) which may have been abandoned for the Duties, and if upon such Account there shall in either Case appear to be any Deficiency of the original Quantity, the Duty payable upon the Amount of such Deficiency shall then be paid.

Account of Goods to be taken on landing.

No Goods to be taken out of the Warehouse except on Entry, &c.

Duties to be paid upon Deficiencies.

XV. And be it further enacted, That it shall be lawful for the Collector and Controller, under such Regulations as they shall see fit, to permit moderate Samples to be taken of any Goods so warehoused without Entry and without Payment of Duty, except as the same shall eventually become payable, as on a Deficiency of the original Quantity.

Samples may be taken.



Goods may  
be sorted  
and re-  
packed.

XVI. And be it further enacted, That it shall be lawful for the Collector and Controller, under such Regulations as they shall see fit, to permit the Proprietor or other Person having Control over any Goods so warehoused, to sort, separate, and pack and repack any such Goods, and to make such lawful Alterations therein, or Arrangements and Assortments thereof, as may be necessary for the Preservation of such Goods, or in order to the Sale, Shipment, or legal Disposal of the same; and also to permit any Parts of such Goods so separated to be destroyed, but without Prejudice to the Claim for Duty upon the whole original Quantity of such Goods; Provided always, that it shall be lawful for any Person to abandon any whole Packages to the Officers of the Customs for the Duties, without being liable for any Duty upon the same.

Whole  
Packages  
may be  
abandoned  
for Duty.

All Goods  
to be clear-  
ed within  
Two Years,  
or sold.

XVII. And be it further enacted, That all Goods which have been so warehoused, shall be duly cleared, either for Exportation or for Home Consumption, within Two Years from the Day of the First Entry thereof; and if any such Goods be not so cleared, it shall be lawful for the Collector and Controller to cause the same to be sold, and the Produce shall be applied, first to the Payment of the Duties, next of Warehouse Rent and other Charges and the Overplus (if any) shall be paid to the Proprietor: Provided always, that it shall be lawful for the Collector and Controller to grant further Time for any such Goods to remain warehoused, if they shall see fit so to do.

Further  
time may  
granted.

XVIII. And be it further enacted, That upon the Entry outwards of any Goods to be exported from the Warehouse, the Person entering the same shall give Security by Bond in Treble the Duties of Importation on the Quantity of such Goods, with Two sufficient Sureties, to be approved by the Collector or Controller, that the same shall be landed at the Place for which they be entered outwards, or be otherwise accounted for to the Satisfaction of the Collector and Controller.

Bond on  
Entry for  
Exporta-  
tion.

XIX. And be it further enacted, That it shall be lawful for His Majesty in Council from Time to Time to appoint any Port in His Majesty's Possessions in America or the West Indies to be a free Warehousing Port for the Purposes of this Act, and every such Port so appointed by His Majesty shall be a free Warehousing Port under this Act, as if appointed by the same, in as full and ample a Manner in all respects as any of the Ports herein-before mentioned are free Warehousing Ports appointed by this Act.

Power to  
appoint  
other free  
Ports.

XX. And be it further enacted, That nothing in this Act shall extend to alter or affect in any Manner the Regulations of the Trade or Fisheries of Newfoundland, or the Duties or Drawbacks payable or allowable therein under any Act or Acts in force at the Time of the Commencement of this Act.

Not to af-  
fect the  
Trade or  
Fisheries of  
Newfound-  
land.

XXI. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in the present Session of Parliament.

Act may be  
amended  
this Session.

### SCHEDULE OF DUTIES.

A SCHEDULE OF DUTIES payable upon Goods, Wares, and Merchandize, not being of the Growth, Production, or Manufacture of the United Kingdom, or of any of the British Possessions in America or the West Indies, or within the Limits of the East India Company's Charter, imported into any of the British Possessions in America or the West Indies.

	£	s	d.
Barrel of Wheat Flour, not weighing more than 196lbs. net Weight	0	5	0
For every Hundred Weight of Biscuit or Bread	0	1	6
For every Barrel of Flour or Meal, not weighing more than 196lbs., not made from Wheat,	0	2	6
For every Bushel of Wheat	0	1	0
For every Bushel of Peas, Beans, Rye, Calavances, Oats, Barley, or Indian Corn	0	0	7
Rice; for every 100lbs. net Weight	0	2	6
For every One Thousand Shingles not more than Twelve Inches in Length	0	7	0
For every One Thousand Shingles, being more than Twelve Inches in Length	0	14	0
For every One Thousand Red Oak Staves	0	15	0
For every One Thousand White Oak Staves or Headings	0	12	6
For every One Thousand Feet of White, Yellow, or Pitch Pine Lumber of One Inch thick	1	1	0
Other Kinds of Wood and Lumber, per One Thousand Feet	1	8	0
For every One Thousand Wood Hoops	0	5	3
Horses, Mules, Asses, Neat Cattle, and all other Live Stock, for every hundred Pounds of the Value	10	0	0
Spirits; videlicet, Brandy, Geneva, or Cordials, for every Gallon	0	1	0
and further, the Amount of any Duty payable for the Time being on Spirits the Manufacture of the United Kingdom.			
Wine, imported in Bottles, the Tun, containing 252 Gallons	7	7	0
and further, for every £100 of the true and real Value thereof	7	10	0
and for every Dozen of Foreign Quart Bottles in which such Wine may be imported	0	1	0
not in Bottles, for every £100 of the true and real Value thereof	7	10	0
Coffee, Cocoa, Sugar, Melasses, and Rum, imported into any of the British Possessions in North America; viz.—			
Coffee, for every Cwt.	0	5	0
Cocoa, for every Cwt.	0	5	0
Sugar, for every Cwt.	0	5	0
Melasses, for every Cwt.	0	3	0
Rum, for every Gallon	0	0	6
and further, the Amount of any Duty payable for the Time being on Coffee, Cocoa, Sugar, Melasses, and Rum respectively, being the Produce of any of the British Possessions in South America or the West Indies.			
Alabaster	Brimstone	Cantharides	For every £100 of the true and real Value thereof, { 7 10 0
Anchovies	Botargo	Cummin Seed	
Argol	Boxwood	Coral	
Annisseed	Currants	Cork	
Amber	Capers	Cinnamon	
Almonds	Cascasoo	Dates	



Essence of Bergamot	Lava and Malta Stone for Building	Parmesan Cheese	For every £100 of the true and real Value thereof.	7 10 0
— of Lemon	Lentils	Pickles		
— of Roses	Manna	Prints		
— of Citron	Marble, rough and worked	Pearls		
— of Orange	Mosaic work	Precious Stones (except Diamonds)		
— of Lavender	Medals	Quicksilver		
— of Rosemary	Musks	Raisins		
Emery Stone	Maccaroni	Rhubarb		
Flax	Nuts of all Kinds	Rice		
Fruit, videlicet ;	Oil of Olives	Sausages		
— dry, preserved in Sugar	— of Almonds	Senna		
— wet, preserved in Brandy	Opium	Scammony		
Figs	Orris Root	Sarsaparilla		
Gum Arabic	Ostrich Feathers	Saffron		
— Mastic	Ochres	Safflower		
— Myrrh	Orange Buds and Peel	Sponges		
— Sicily	Olives	Tar		
— Ammoniac	Pickles, in Jars and Bottles	Turpentine		
Hemp	Paintings	Vermillion		
Honey	Pozzolana	Vermicelli		
Jalap	Pitch	Whetstones		
Juniper Berries	Pumice Stone			
Incense of Frankincense	Punk			
Clocks and Watches	Linens	Wires of all Sorts	For every 100% of the true and real value thereof	30 0 0
Leather Manufactures	Musical Instruments	Books and Papers		
Glass Manufactures	Refined Sugar	Tobacco Manufactured	For every 100% of the true and real value thereof	20 0 0
Soap	Sugar Candy			
Coin and Bullion				
Diamonds				
Salt				
Fruit and Vegetables, fresh				
Herrings, taken and caught by the Inhabitants of the Isle of Man, and imported direct from thence				
Any set of Craft, Food, and Victuals, except Spirits, any sort of Clothing and Implements, or Materials fit and necessary for the British Fisheries in America, imported into the Place at or from which such Fishery is carried on direct from the Islands of Guernsey, Jersey, Alderney, Sark, or Man, being the Produce or Manufacture of such Islands, or of the United Kingdom.				Duty free.
Rice and Indian Corn and Lumber, the Produce of any British Possession on the West Coast of Africa, and imported direct from thence.				
Goods, Wares, or Merchandize not being enumerated or described, nor otherwise charged with Duty by this Act.			For every £100 of the true and real value thereof.	15 0 0

And if any of the Goods herein-before mentioned shall be imported through the United Kingdom (having been warehoused therein and exported from the Warehouse, or the Duties thereon, if there paid, having been drawn back,) One-tenth of the Duties herein imposed shall be remitted in respect of such Goods.

And if any of the Goods herein before mentioned shall be imported through the United Kingdom (not from the Warehouse,) but after all Duties of Importation for Home Use therein shall have been paid thereon in the said United Kingdom, and not drawn back, such Goods shall be free of all Duties herein imposed.

## Anno Sexto Georgii IV. Regis.

### CAP. CIV.

*An Act to repeal certain Duties of Customs, and to grant other Duties in lieu thereof; to continue, until the Fifth Day of July One thousand eight hundred and twenty-six, the Bounties on Refined Sugar; and to alter the Bounty on Cordage* [5th July 1825.]

WHEREAS it is expedient that the Duties and Drawbacks upon certain Goods enumerated in the Tables annexed to this Act should be repealed, and that other Duties and Drawbacks should be granted and made payable in lieu thereof; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Duties of Customs payable to his Majesty, His Heirs and Successors, under or by virtue of any Act or Acts in force immediately before the passing of this Act, upon the Importation, into any Part of the United Kingdom of Great Britain and Ireland, of any of the Articles enumerated in the Tables marked (A.) and (B.) annexed to this Act, and the respective Drawbacks allowed upon the Exportation from any Part of the United Kingdom of Great Britain and Ireland, of any of the said Articles, and

also upon the Use and Consumption of any of the said Articles within the said United Kingdom, except as herein-after provided; and the Duties of Customs upon the Exportation of any of the Articles enumerated in the Tables marked (C.) and (D.) to this Act annexed; and the Duties of Customs upon Coals, Culm, and Cinders carried Coastwise, enumerated in the Table marked (E.) to this Act annexed, and the Drawbacks in respect of the same, shall cease and determine, and shall be and the same are hereby repealed; save and except in all Cases and so far as shall relate to the re-covering, allowing, or paying any Arrears of the said Duties and Drawbacks respectively, or to any Fines, Penalties, or Forfeitures relating thereto respectively, which may remain unpaid or not allowed, or which shall have been incurred at any time on or before the Time when such Duties and Drawbacks shall respectively cease and determine.

B

Certain  
Duties of  
Customs  
repealed;

except Du-  
ties in ar-  
rear, and  
Fines, &c.



Duties as specified in annexed Tables to be levied instead.

II. And be it further enacted, That from and after the passing of this Act, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, in ready Money and without any Discount whatever, upon the Goods, Wares, and Merchandize specified in the Tables marked (A.) (B.) (C.) (D.) and (E.) respectively to this Act annexed, imported, or brought into, or exported from any Part of the United Kingdom of *Great Britain and Ireland*, or carried Coastwise, the several Duties of Customs, and there shall be allowed the several Drawbacks, as the same are respectively inserted, described, and set forth in Figures in the said Tables.

Goods having paid Duties imposed by former Acts, to be entitled to Drawback.

III. Provided always, and be it enacted, That the Drawbacks granted, allowed, and made payable on the Exportation, or on the Use and Consumption, of any of the Articles specified in the Table to this Act annexed, under and by virtue of any Act or Acts in force immediately before the passing of this Act, shall remain and continue payable with respect to such Goods, Wares, and Merchandize as shall have paid the Duties imposed on the Importation thereof under any Act or Acts in force before the passing of this Act, and which shall be exported, or used and consumed, after the passing of this Act; any thing in this Act to the contrary in anywise notwithstanding: Provided also, that no Drawback shall be allowed for any Articles used in bleaching of Linen nor for any Brimstone used for making Oil of Vitriol, which shall not have been so used respectively before the Fifth Day of *July* One thousand eight hundred and twenty-six, nor unless such Drawback be duly claimed before the Fifth Day of *January* One thousand eight hundred and twenty-seven.

Proviso as to Articles used in bleaching of Linen, and as to Brimstone used for Oil of Vitriol.

Proprietor not compelled to pay Duty, where Bond is allowed.

IV. Provided also and be it enacted, That nothing in this Act contained shall extend or be construed to extend to compel the Proprietor or Proprietors of Goods, Wares, or Merchandize specified in the Table to this Act annexed, to pay the Duties thereon upon the Importation or Landing of such Goods, Wares, or Merchandize in any Part of the United Kingdom, in any Case where such Goods, Wares or Merchandize may or might by Law be warehoused or otherwise secured without Payment of Duty, or in any Case where the Whole or any Part of the Duties on such Goods, Wares, or Merchandize are or may be permitted to be secured by Bond or otherwise; but that in all such Cases the Duties, specified in the Table to this Act annexed, may be secured by Bond or otherwise, in such Manner, and under such Rules, Regulations, Restrictions, and Conditions, as are or may be contained in any Act or Acts for that Purpose, except where it is otherwise provided by this Act: Provided also, that in case the Importer or Proprietor of any Goods, Wares, or Merchandize specified in the Table to this Act annexed, which shall have been lodged in Warehouses or otherwise secured, at any Time on or immediately before the passing of this Act, and on which the Duties due on the Importation thereof shall not have been paid, shall be desirous of taking any such Goods, Wares, or Merchandize out of such Warehouse, or from any Place wherein the same shall be secured, for the Purpose of being used or consumed in any Part of the United Kingdom, then and in such Case the Duties imposed by this Act shall be payable thereon notwithstanding such Goods, Wares, or Merchandize may have been imported and warehoused before the passing of this Act; except where it is otherwise provided by this Act.

Duties to be paid on Goods taken out of Warehouse for Home Consumption.

V. And be it further enacted, That all Sorts of Wine imported into the United Kingdom in Bottles, shall be liable to the same Duties as the like Sorts would respectively be liable to if imported in Casks; any thing in any other Act to the contrary notwithstanding.

Wine in Bottles liable to Duty as if imported in Casks

VI. And be it further enacted, That nothing contained in this Act, or in an Act passed in the present Session of Parliament, intituled *An Act to reduce the Duties on Wine, Coffee, and Hemp, imported into the United Kingdom*, shall extend to repeal or in any way alter or affect any Right to enter Wine for Prizage at any Port in *England or Wales*, where such Right has not been purchased by the Commissioners of His Majesty's Treasury under the Authority of any Act made for that Purpose.

Entry of Wine for Prizage not affected, 6 G. 4. c. 13.

VII. And be it further enacted, That all Goods the Produce of the Island of *Mauritius*, imported into the United Kingdom, shall be subject to the same Duties as the like Goods being the Produce of the *British Possessions in the West Indies* are subject to under this Act; and that Goods the Produce of the *Cape of Good Hope*, its Territories and Dependencies, imported into the United Kingdom, shall be subject to the same Duties as the like Goods being the produce of *British Possessions within the Limits of the East India Company's Charter* are subject to under this Act; except in Cases wherein any other Duty is particularly charged thereon.

*Mauritius* to have the Privileges of the *West Indies* as to Trade. Goods from *Cape of Good Hope* subject to the same Duties as Goods from the *Limits of the East India Company*.

VIII. And be it further enacted, That all the Duties imposed or continued by this Act shall be managed, ascertained, raised, levied, collected, answered, paid, and recovered in such and the like Manner, as any Duties of Customs upon Goods, Wares or Merchandize are or may be managed, ascertained, raised, levied, collected, answered, paid, recovered, and allowed, and under and subject to all such Rules, Regulations, Restrictions, Provisions, Pains, Penalties, and Forfeitures, and Modes of inflicting and recovering the same, as any Goods, Wares, or Merchandize specified in this Act, or in the Tables thereto annexed, or any the like Goods, Wares and Merchandize, are particularly subject and liable to by any Act or Acts of Parliament in force on or immediately before the passing of this Act.

Regulations of former Acts extended to this Act.

IX. And be it further enacted, That all the Monies arising by the Duties imposed by this Act (the necessary Charges of raising and accounting for the same excepted), shall from Time to Time be paid into the Receipt of His Majesty's Exchequer, and shall be carried to and made part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and shall be appropriated in like Manner, and to the like Services, as the Duties by this Act repealed would have been if this Act had not passed.

Monies to arise by this Act to be carried to Consolidated Fund.

X. And be it further enacted, That an Act passed in the Fifty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal the several Bounties on the Exportation of Refined Sugar from any Part of the United Kingdom, and to allow other Bounties in lieu thereof, until the Fifth Day of July One thousand eight hundred and twenty, and for reducing the Size of the Packages in which Refined Sugar may be exported*; and which by an Act made in the last Session of Parliament was continued until the Fifth Day of *July* One thousand eight hundred and twenty-five, shall, from and after the said Fifth Day of *July*

58 G. 3. c. 34 relating to Bounties on Refined Sugar, continued by 5 G. 4. c. 35. further continued till 5th July, 1826.



One thousand eight hundred and twenty-five, be further continued, and the same is hereby continued until and upon the Fifth Day of *July* One thousand eight hundred and twenty six.

Bounty on  
Cordage  
exported, to  
be reduced  
to 3s. 10d.  
after 5th  
July, 1825.

XI. And whereas by an Act passed in the present Session of Parliament, the Duty of Customs upon rough Hemp imported into the United Kingdom will, from and after the Fifth Day of *July* One thousand eight hundred and twenty-five, be reduced; and it is just and reasonable that the Bounty allowed on Cordage made of such Hemp exported from the United Kingdom should be reduced in the same Proportion; be it therefore enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty-five, for all Cordage which shall not have been shipped for Exportation on or before that Day, the Bounty now allowable upon Cordage exported from the United Kingdom shall cease and determine; and that in lieu thereof there shall be allowed for Cordage and Spun Yarn exported from the United Kingdom, from and after the said Fifth Day of *July* One thousand eight hundred and twenty-five, (not having been previously shipped as aforesaid,) the Bounty herein-after set forth and expressed; (that is to say,) Cordage or Spun Yarn, white or tarred, being Staple Cordage or Staple Spun Yarn, not Twice laid, wrought up and manufactured in the United Kingdom from Foreign rough Hemp not being the Produce of the *British* Colonies or Plantations in *America*, nor of the *East Indies* nor of *China*, nor imported by the *East India* Company for every Hundred Weight Three Shillings and Ten-pence.

Cordage  
made into  
Rigging, to  
be entitled  
to the same  
Bounty.

XII. And be it further enacted, That the Bounty hereby allowed for Cordage and Spun Yarn made into and fitted up as Rigging: Provided always, that it shall be lawful for the Officer of the Customs to make such Deductions from the Weight of such Rigging as shall in his Discretion be equal to the Weight of any Materials other than such Cordage and Spun Yarn forming Part of and being weighed together with such Rigging.

Present  
Bounty to  
be under  
same Con-  
ditions as  
Bounty  
repealed.

XIII. And be it further enacted, That the Bounty allowed on any Cordage or Spun Yarn by this Act, shall be allowed and paid in the like Manner and under the like Conditions, as far as the same are applicable, as the Bounty hereby made to cease would have been allowed and paid if this Act had not been passed.

Reciprocal  
duties to  
be levied on  
Foreign  
Merchan-  
dize, &c.

XIV. And be it further enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council by His Order in Council, from Time to Time to order and direct, that there shall be levied and collected any additional Duty, not exceeding One-fifth of the Amount of any existing Duty, upon all or any Goods, Wares, or Merchandize, the Growth, Produce, or Manufacture of any Country, which shall levy higher or other Duties upon any Article the Growth, Produce, or Manufacture of any of His Majesty's Dominions, than upon the like Article the Growth, Produce, or Manufacture of any other Foreign Country; and in like Manner to impose such additional Duties upon all or any Goods when imported in the Ships of any Country which shall levy higher or other Duties upon any Goods when imported in *British* Ships, than when imported in the National Ships of such Country, or which shall levy higher or other Tonnage or Port or other Duties upon *British* Ships than upon such National Ships, or which shall not place the Commerce or Navigation of this Kingdom upon the footing of the most favoured Nation in the Ports of such Country;

and either to prohibit the Importation of any manufactured Article, the Produce of such Country, in the Event of the Export of the Raw Material of which such Article is wholly or in part made, being prohibited from such Country to the *British* Dominions; or to impose an additional Duty, not exceeding One-fifth as aforesaid, upon such manufactured Article; and also to impose such additional Duty in the Event of such raw Material being subject to any Duty upon being exported from the said Country to any of His Majesty's Dominions; and all Duties imposed by any such Order shall be deemed to be Duties imposed by this Act.

XV. And be it further enacted, That all Bonds given by the Owners or Masters of *British* Ships upon the registering of the same, and all Bonds given by the Masters of *British* Ships upon their taking the Charge or Command of the same, shall be deemed to be Bonds for preventing Frauds or Evasions of the Duties of Customs, as well as for other Purposes; and shall be liable to same Duties of Stamps as any Bonds given for or in respect of the Duties of Customs, or for preventing Frauds or Evasions thereof, are or shall be liable to under any Act for the time being in force for granting Duties of Stamps.

Register  
Bonds.

XVI. And be it further enacted, That all small Coals which may be shipped to be sent Coastwise from the Ports of *Newcastle* and *Sunderland* to any Port in *England* or *Wales*, on Payment of One Shilling the Chaldron, provided the same shall have been screened through a Screen or Riddle, the Bars of which shall not be in any Part thereof more than Three-eighths of an Inch asunder, shall be subject to the same Rules, Regulations, and Restrictions, and to the same Forfeitures, and all Persons shall be subject to the same Penalties in respect thereof, as are provided in an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to reduce the Duty on the Exportation from Great Britain of small Coals of certain Descriptions*, in respect of small Coals exported, as far as the same can be applicable.

Small  
Coals carri-  
ed Coast-  
wise, pay-  
ing Duty of  
1s. per  
Chaldron,  
subject to  
Regulation-  
s of 56  
G. 3. c.  
127.

XVII. And be it further enacted, That no Coals shall be admitted to be such screened Coals as aforesaid, unless the same be described to be such in the Certificates of the Fitter or Coal owner, or his Agent; and that if any Coals, Culm, or Cinders, liable to Duty upon Coals, Culm, or Cinders brought Coastwise, be found on board any Ship in which any such screened Coals shall be laden, then such screened Coals shall also be liable to such Duty as if the same had not been so screened, although the same shall have been duly shipped at the Port of Shipment, and the Duty of One Shilling the Chaldron shall have been paid thereon.

No Coals  
to be admit-  
ted as  
screened  
unless cer-  
tified by the  
Owner.

XVIII. And whereas Part of the Fund called "The Orphan's Fund," established by an Act passed in the Fifth and Sixth Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for the Relief of the Orphans and other Creditors of the City of London*, consists of the Imposition or Duty of Four-pence Metage thereof for ever, over and above what was lawfully paid for the Metage thereof, for every Chaldron of all Coals or Culm usually sold by the Chaldron, imported into the Port of *London*, or Members thereof; and of a like Duty of Sixpence for every Ton of such Coals sold by the Ton and so imported; and other Part of the said Fund consists of the further Sum of Sixpence (over and above all other Impositions and Duties and the said Sum of Four-pence) for every Chaldron or Ton of

The Or-  
phan's  
Fund.



Coals or Culm imported as aforesaid; and it was directed by the said Act that the said Imposition of Six-pence should continue from the Twenty-ninth Day of *September* One thousand seven hundred, for the Term of Fifty Years, and the said Impositions and Duties have since been continued by subsequent Acts of Parliament for the further Terms of Thirty-five Years, and Forty-six Years and Five Years and Three Quarters of a Year making together the term of eighty six years and three quarters of a year from the Expiration of the said Term of Fifty Years: And whereas it is expedient that screened Coals, for which by this Act the reduced Duty of One Shilling *per* Chaldron is made payable as aforesaid (whether alone or intermixed with Cinders) should be exempted from the said Imposition or Duty of Sixpence for every Chaldron or Ton be it therefore enacted, That so much of the said recited Act of the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, and the Acts by which the said Imposition is continued, as makes screened Coal (whether alone or mixed with Cinders or Ashes) for which the said reduced Duty is by this Act made payable as aforesaid, subject to the Payment of the said Imposition or Duty of Sixpence for every Chaldron or Ton of Coal or Culm imported into the Port of *London*, shall be and the same is hereby repealed: Provided nevertheless, that such said screened Coals alone or intermixed as aforesaid, shall be liable to the said Imposition or Metage of Four pence for every Chaldron or Ton, and to all other Duties and Charges payable in respect of Coals or Culm imported into the Port of *London* (except the Duties of Customs,) and to all the Charges,

So much of W. & M. as imposes a Duty of Sixpence on screened Coals, repealed.

Proviso, that such Coals shall be subject to the Duties of the Port of

Duties and Payments, Regulations, Restrictions, and Provisions, touching the Vend and Delivery thereof in the Port of *London* imposed and directed by an Act of Parliament passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repealing the several Acts for regulating the Vend and Delivery of Coals within the Cities of London and Westminster and the Liberties thereof, and in certain Parts of the Counties of Middlesex, Surrey, Kent, and Essex, and for making better Provision for the same.*

London, directed by 47 G. 3. c. lxviii.

XIX. And whereas the Company of Merchants of *England* trading to the *Levant* Seas has been dissolved: And whereas some of the Members of the said Company who were residents at Places where Factories of the said Company were established in the *Levant*, were possessed of shares in *British* registered Ships, and such Persons may be desirous of continuing to reside at such Places, and also to retain their Rights in such *British* Ships; be it therefore enacted, That it shall be lawful for any Person who was a Member of the said Company at the Time of its Dissolution, and who was a resident at any of the said Factories, to continue to own any Share or Shares in any *British* registered Ship of which he was at that time an Owner, although such Person shall reside at any of the Places where such Factories existed prior to the Dissolution of the said Company; any thing in any Act for the registering of *British* Ships to the contrary notwithstanding

Persons who were Members of the *Levant* Company before its Dissolution, and who were Residents at the Factories, permitted to continue their own Shares in *British* registered Ships.

### TABLES referred to in this Act.

(A.)

A TABLE of the DUTIES of CUSTOMS payable on Goods, Wares, and Merchandize imported into the United Kingdom from Foreign Parts; and of the DRAWBACKS to be allowed on the Exportation of such Goods, Wares, and Merchandize.

#### DUTY,—INWARDS.

	£	s.	d.
Agates or Cornelians, <i>viz.</i>			
set, for every 100l. of the Value	20	0	0
not set, for every 100l. of the Value	10	0	0
Aloes, the Produce of and imported from the Cape of Good Hope, the lb.	0	0	3
Arangoes, for every 100l. of the Value ( <i>drawback</i> 2d.)	20	0	0
Argol, the cwt.	0	2	0
the Produce of and imported from any British Possession, the cwt.	0	1	0
Amber, Manufactures of, not particularly enumerated or described in this or any other Act, the lb.	0	12	0
Arrow Root, the Produce of and imported from any British Possession, the lb.	0	0	1
Ashes, Pearl and Pot, the cwt.	0	6	0
the Produce of and imported from any British Possession	Free		
Asphaltum, the Produce of and imported from any British Possession, the lb.	0	0	5
Asses, each	0	10	0
Bacon or Hams, the cwt.	1	8	0
Bark, <i>viz.</i>			
Eleutheria, or Cascarilla Bark, the lb. ( <i>drawback</i> 4d.)	0	0	6
Winter's Bark, the Produce of and imported from any British Possession, the lb. ( <i>drawback</i> 3d.)	0	0	4
not particularly enumerated or described in this or any other Act, being for the Use of Dyers or Tanners, and for no other Use or Purpose whatever, the Produce of and imported from any British Possession, for every 100l. of the Value	10	0	0
Baskets, for every 100l. of the Value	20	0	0
Beads, <i>viz.</i>			
Arrango Beads, for every 100l. of the Value	20	0	0
not particularly enumerated or described in this or any other Act, for every 100l. of the Value	30	0	0

	£	s.	d.
Berries, <i>viz.</i>			
Yellow, for Dyers Use, the cwt.	0	14	0
for Dyers Use, not particularly enumerated or described in this or any other Act, the cwt.	0	12	0
not for Dyers Use, not otherwise enumerated or described, for every 100l. of the Value	30	0	0
Books, <i>viz.</i>			
being of Editions printed prior to the Year 1801, bound or unbound, the cwt.	1	0	0
being of Editions printed in or since the Year 1801, bound or unbound, the cwt.	5	0	0
<i>Note.</i> —For the Description of Books prohibited to be imported, See the Act for the Regulation of the Customs and Acts for securing Copyright.			
Boxes of all Sorts, for every £100 of the Value	20	0	0
Brass, <i>viz.</i>			
Powder of Brass, for Japanning, the lb.	0	2	6
Manufactures of, not particularly enumerated or described in this or any other Act, for every £100 of the Value	30	0	0
Brazil Wood, not particularly enumerated or described in this or any other Act, the Ton	5	0	0
Brimstone, <i>viz.</i>			
rough, the cwt.	0	0	6
refined, the cwt.	0	6	0
in Flour, the cwt.	0	9	9
Bronze Powder, for every £100 of the Value	25	0	0
Cables, tarred or untarred, whether in use or otherwise, the cwt.	0	10	9
Cambrics, See Linen.			
Canes, Walking Canes, or Sticks, mounted, painted, or otherwise ornamented, for every £100 of the Value	30	0	0
Carriages, for every £100 of the Value	30	0	0
Cassia Buds, the lb.	0	1	0



## DUTY,—INWARDS,—Continued.

	£	s.	d.		£	s.	d.
Cassia Ligna, the lb. ... ..	0	1	0	Feathers, undressed, for every £100 of the Value	10	0	0
Cedar Wood, the Produce of and imported from the Cape of Good Hope, the Ton ... ..	0	10	0	Flax, and Tow or Codilla, of Hemp or of Flax, whether dressed or undressed, viz.			
China or Porcelain Ware, viz.				from the 5th July 1825 until the 6th July 1826, the cwt.	0	0	4
plain, for every £100 of the Value ... ..	15	0	0	from the 5th July 1826 until the 6th July 1827, the cwt.	0	0	3
painted, gilt, or ornamented, for every £100 of the Value	30	0	0	from the 5th July 1827 until the 6th July 1828, the cwt.	0	0	2
Chocolate and Cocoa Paste, viz.				from and after the 5th July 1828, the cwt.	0	0	1
the Produce of and imported from any British Possession, the lb. ... ..	0	1	9	Flowers, artificial, not made of Silk, for every £100 of the Value	25	0	0
the Produce of any other Place, or if otherwise imported, the lb. ... ..	0	4	4	Frames for Pictures, for every 100l. of the Value	20	0	0
Cinnabar, native or factitious, the lb. ... ..	0	1	0	Fustic, the Ton ... ..	0	4	6
Clocks, for every £100 of the Value ... ..	25	0	0	the Produce of and imported from any British Possession in America, or on the West Coast of Africa, the Ton	0	3	0
Cochineal, the lb. ... ..	0	1	0	Gauze of Thread, for every 100l. of the Value	30	0	0
the Produce of and imported from any British Possession, the lb. ... ..	0	0	4	Ginger, the Produce of and imported from any British Possession, the cwt. (drawback 10s.)	0	11	6
Dust, the lb. ... ..	0	0	1½	preserved the lb. ... ..	0	0	3
Cocoa Nuts, viz.				Granilla, the Produce of and imported from any British Possession, the lb. ... ..	0	0	5
the Produce of and imported from any British Possession in America, the lb. ... ..	0	0	6	Grapes, for every 100l. of the Value. ... ..	20	0	0
the Produce of and imported from any British Possession within the Limits of the East India Company's Charter, the lb. ... ..	0	0	9	Gum, viz.			
the Produce of any other Place, or if otherwise imported, the lb. ... ..	0	1	3	Animi, rough and in no way cleaned, the lb. ... ..	0	0	5
Cocoa Nut Husks or Shells, the lb. ... ..	0	0	2	- - - scraped or in any way cleaned, the lb. ... ..	0	0	6
Cocus Wood, the Produce of and imported from any British Possession, the Ton ... ..	0	3	0	- - - Copal, viz. rough and in no way cleaned, the lb. ... ..	0	0	5
Codilla, See Flax.				- - - scraped or in any way cleaned, the lb. ... ..	0	0	6
Coffee, viz.				Lac, Lac Dye, for every 100l. of the Value ... ..	5	0	0
the Produce of and imported from any British Possession in America, the lb. ... ..	0	0	6	not particularly enumerated or described in this or any other Act, for every 100l. of the Value	20	0	0
the Produce of and imported from any British Possession within the Limits of the East India Company's Charter, the lb. ... ..	0	0	9	Hair, viz.			
the Produce of any other Place, or if otherwise imported, the lb. ... ..	0	1	3	Cow, Ox, Bull, or Elk Hair, the cwt. ... ..	0	10	0
Copper, viz.				Goats or Camels Hair or Wool, the Produce of and imported from any British Possession ... ..	Free.		
Ore, the cwt. ... ..	0	12	0	- - - the Produce of any other Place, or if otherwise imported, the lb. ... ..	0	0	1
old, fit only to be re-manufactured, the cwt. ... ..	0	15	0	Articles manufactured of Hair or Goats Wool, or of Hair or Goats Wool and any other Material not particularly enumerated or described in this or any other Act, for every £100 of the Value	30	0	0
in Plates, and Copper Coins, the cwt. ... ..	1	10	0	Hams, the cwt. ... ..	1	8	0
unwrought, viz.				Hemp, rough or undressed, or any other vegetable Substance of the Nature and Quality of undressed Hemp, and applicable to the same Purposes, the cwt. ... ..	0	4	8
- - - in Bricks or Pigs, Rose Copper, and all Cast Copper, the cwt. ... ..	1	7	0	- - - the Produce of and imported from any British Possession	Free.		
in part wrought, viz.				Hides, viz.			
- - - Bars, Rods, or Ingots, hammered or raised, the cwt. ... ..	1	15	0	Horse, Mare, Gelding, Buffalo, Bull, Cow, or Ox Hides, in the Hair, not tanned, tawed, curried, or in any way dressed, the Produce of and imported from any British Possession, viz.			
Manufactures of Copper, not particularly charged with Duty in this or any other Act, and Copper Plates engraved, for every £100 of the Value	30	0	0	- - - dry, the cwt. ... ..	0	2	4
Coral, whole, unpolished, of British fishing or taking, the lb. ... ..	0	0	6	- - - wet, the cwt. ... ..	0	1	2
Cordage, tarred or untarred, whether in use or otherwise (standing or running Rigging in use excepted) the cwt. ... ..	0	10	9	- - - tanned, and not otherwise dressed, the lb. ... ..	0	0	6
Cotton, Manufactures of, for every £100 of the Value	10	0	0	Honey, the Produce of, and imported from any British Possession, the cwt. ... ..	0	5	0
- - - and further, if printed, for every Square Yard	0	0	3½	Horns, Horntips, and pieces of Horns, not particularly charged with Duty in this or any other Act, the cwt. ... ..	0	2	4
Cowries, for every £100 of the Value	20	0	0	Horses, Mares, or Geldings, each ... ..	1	0	0
Cream of Tartar, the cwt. ... ..	0	4	8	Japanned Ware, for every £100 of the Value	20	0	0
Crystal, cut, or in any way manufactured (except Beads), for every £100 of the Value	30	0	0	Jewels, Emeralds, Rubies, and all other precious Stones, except Diamonds, viz.			
Drugs, not particularly enumerated or described in this or any other Act, for every 100l. of the Value	20	0	0	- - - set, for every 100l. of the Value	20	0	0
Earthenware, not particularly enumerated or described in this or any other Act, for every £100 of the Value	15	0	0	- - - not set, for every 100l. of the Value	10	0	0
Ebony, Green Ebony, the Produce of and imported from any British Possession, the Ton ... ..	0	3	0	Indigo, the lb. ... ..	0	0	4
Extract or Preparation, viz.				the Produce of and imported from any British Possession in America, the lb. ... ..	0	0	3
of Opium, for every £100 of the Value	25	0	0	Iron, viz.			
of Quassia, for every £100 of the Value	50	0	0	in Bars or unwrought, viz.			
of Vitriol, for every £100 of the Value	25	0	0	- - - the Produce of and imported from any British Possession, the Ton ... ..	0	2	6
of any Article, not particularly enumerated or described in this or any other Act, for every £100 of the Value	20	0	0	- - - the Produce of any other Country, or if otherwise imported, the Ton	1	10	0
Feathers, viz.				slit or hammered into Rods, and Iron drawn or hammered, less than ¾ of an Inch Square, the cwt. ... ..	0	5	0
for Beds, in Beds or not, the cwt. ... ..	2	4	0	cast, for every 100l. of the Value	10	0	0
Ostrich, viz.				old broken, and old Cast Iron, the Ton	0	12	0
dressed, the lb. ... ..	1	10	0	Ore, the Ton	0	5	0
undressed, the lb. ... ..	0	10	0	Pig Iron, the Ton	0	10	0
not otherwise enumerated or described, viz.							
dressed, for every £100 of the Value	20	0	0				



## DUTY,—INWARDS,—Continued.

	£	s.	d.		£	s.	d.
Iron, the Produce of, and imported from any British Possession, the Ton	0	1	3	Pewter, viz.			
Wrought, not particularly charged with Duty in this or any other Act, for every 100l. of the Value	20	0	0	Manufactures of, not particularly enumerated or described in this or any other Act, for every 100l. of the Value	20	0	0
Juice of Lemons, Limes, or Oranges, the Produce of, and imported from any British Possession, whether raw or concentrated, the Gallon, for every degree of specific Gravity or Strength	0	0	0½	Pimento, the Produce of and imported from any British Possession, the lb.	0	0	5
Lace, viz.				Plaster of Paris, the cwt.	0	1	0
Thread Lace, for every 100l. of the Value...	30	0	0	Pomatum, for every 100l. of the Value	30	6	0
Lacquered Ware, for every 100l. of the Value	30	0	0	Pots of Stone, for every 100l. of the Value	30	0	0
Lapis Calaminaris, the cwt.	0	1	0	Rags, viz.			
Latten; viz.				old Rags, old Ropes or Junk, or old Fishing Nets, fit only for making Paper or Pasteboard, the Ton	0	5	0
Black, the cwt.	0	14	0	Woollen Rags, fit only for Manure, the Ton	0	7	6
Shaven, the cwt.	1	5	0	Raisins of all Sorts, the Produce of and imported from any British Possession, the cwt. (drawback 9s.)	0	10	0
Lead; viz.				Rhubarb, the Produce of and imported from any British Possession, the lb. (drawback 1s. 8d.)	0	2	6
Ore, the Ton	0	10	0	Safflower, the cwt.	0	5	0
Pig, the Ton	2	0	0	Saffron, the lb.	0	2	6
Red, the cwt.	0	6	0	Sago, viz.			
White, the cwt.	0	7	0	Pearl, the cwt.	1	10	0
Linen; viz.				Common, the cwt.	0	15	0
Cambries and Lawns, commonly called French Lawns, the Piece not exceeding Eight Yards in Length, and not exceeding Seven-eighths of a Yard in Breadth, and so in proportion for a greater or less Quantity, viz.				Sago Powder, the cwt.	1	10	0
- - - plain	0	6	0	Sapan Wood, the Ton	0	15	0
- - - bordered Handkerchiefs	0	5	0	Sarsaparilla, the Produce of and imported from any British Possession, the lb. (drawback 10d.)	0	1	0
Logwood, the Ton	0	4	6	Saunders, Red, the Ton	0	12	0
the Produce of and imported from any British Possession in America, or on the West Coast of Africa, the Ton	0	3	0	Seed, viz.			
Madder, the cwt.	0	6	0	Forest Seed, the lb.	0	0	6
Madder Root, the cwt.	0	1	6	Garden Seed, not particularly charged with Duty in this or any other Act, the lb.	0	0	6
Manuscripts, the lb.	0	0	2	Shrub or Tree Seed, not particularly charged with Duty in this or any other Act, the lb.	0	0	6
Marmalade, the Produce of and imported from any British Possession, the lb.	0	0	3	all Seed not particularly enumerated or described in this or any other Act, for every 100l. of the Value	30	0	0
Mats, not particularly enumerated or described in this or any other Act, for every 100l. of the Value	20	0	0	Ships to be broken up, with their Tackle, Apparel, and Furniture, (except Sails,) viz.			
Matting, for every 100l. of the Value	20	0	0	British Ships or Vessels, entitled to be registered as such, not having been built in the United Kingdom, for every 100l. of the Value	15	0	0
Matrasses, for every 100l. of the Value	20	0	0	Shumach, the cwt.	0	1	0
Mercury prepared, for every 100l. of the Value	30	0	0	Silk, viz.			
Models of Cork or Wood, for every 100l. of the Value	5	0	0	Thrown Silk, dyed or not, the lb.	0	7	6
Moss, viz.				Skates for sliding, for every 100l. of the Value	20	0	0
Rock, for Dyers Use, the Ton	0	15	0	Skins, viz.			
Mules, each	0	10	0	Dog-fish Skins of British taking, and imported direct from Newfoundland, the Dozen Skins	0	0	1
Musical Instruments, for every 100l. of the Value	20	0	0	Hare Skins, undressed, the 100 Skins	0	1	0
Nicaragua Wood, the Ton	0	15	0	Kid Skins in the Hair, the 100 Skins	0	1	6
Nitre, viz.				- - - dressed, the 100 Skins	0	10	0
Cubic Nitre, the cwt.	0	0	6	Lamb Skins, viz.			
Nuts, viz.				- - - undressed in the Wool, the 100 Skins,	0	1	6
Cashew Nuts, the Produce of and imported from any British Possession, the lb.	0	0	1	- - - tanned or tawed, the 100 Skins	0	10	0
- - - Kernels, the lb.	0	0	2	Musquash Skins undressed, the 100 Skins	0	1	0
Coco or Cocker Nuts, the Produce of and imported from any British Possession, the 120 Nuts	0	5	0	Seal Skins taken by Persons not being British Subjects, the Skin	0	1	0
Oil, viz.				Sheep Skins, undressed in the Wool, the Dozen Skins	0	1	0
of Castor, the lb.	0	1	0	Swan Skins, undressed, the Skin	0	1	0
- - - the Produce of, and imported from any British Possession, the lb.	0	0	6	Spa Ware, for every 100l. of the Value	30	0	0
of Cinnamon, the oz	0	1	0	Specimens illustrative of Natural History, not particularly charged with Duty in this or any other Act.			Free.
Olibanum, the cwt. (drawback 1l. 4s. 2d.)	2	0	0	Spelter, viz.			
Orchal, Archal, or, Orchelia, the cwt.	0	6	0	from the 5th July 1825 to the 6th July 1826, the cwt.	0	14	0
Painters Colours, not particularly enumerated or described in this or any other Act, for every 100l. of the Value	30	0	0	from the 5th July 1826 to the 6th July 1827, the cwt.	0	12	0
Paintings on Glass, for every 100l. of the Value	30	0	0	from and after the 5th July 1827, the cwt.	0	10	0
- - - and further, for every cwt.	6	6	0	Sponge, the Produce of and imported from any British Possession, the lb.	0	0	6
Paper, viz.				Steel, or any Manufactures of Steel, not particularly enumerated or described in this or any other Act, for every 100l. of the Value	20	0	0
Brown Paper made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of any other Materials therewith, the lb.	0	0	3	Stone, sculptured, or Mosaic Work, the cwt.	0	2	6
printed, painted, or stained, or Paper Hangings, or Flock Paper, the Yard Square	0	1	0	Succades, viz.			
waste Paper, or Paper of any other Sort, not otherwise charged with Duty in this or any other Act, the lb.	0	0	9	the Produce of and imported from any British Possession in America, the lb.	0	0	3
Pencils (not of Slate), for every 100l. of the Value	30	0	0	the Produce of and imported from any British Possession within the Limits of the East India Company's Charter, the lb.	0	0	6
Pens, for every 100l. of the Value	30	0	0	the Produce of any other Place, or if otherwise imported, the lb.	0	3	2
				Sulphate of Quinine, the oz.	0	2	6

## DUTY,—INWARDS,—Continued.

	£	s.	d.		£	s.	d.
Tamarinds, the Produce of and imported from any British Possession within the Limits of the East India Company's Charter, the lb.	0	0	6	Wax, viz.			
the Produce of and imported from any British Possession in America, the lb.	0	0	2	Sealing Wax, for every 100l. of the Value	30	0	0
Teasles, the 1,000	0	1	0	Weld, the cwt.	0	1	0
Teeth, viz.				Whalefins, viz.			
Elephants Teeth, the cwt.	1	0	0	taken and caught by the Crew of a British Ship, and imported direct from the Fishery, or from any British Possession, in a British Ship, the Ton	1	0	0
Telescopes, for every 100l. of the Value	30	0	0	of Foreign Fishing, if otherwise imported, the Ton	95	0	0
Terra Japonica or Catechu, the cwt.	0	3	0	Wire, viz.			
Thread, viz.				Brass or Copper Wire, the cwt.	2	10	0
Bruges Thread, the Dozen lbs.	0	15	0	Gilted or Plated, for every 100l. of the Value	25	0	0
Outnal Thread, the Dozen lbs.	0	15	0	Iron, not otherwise enumerated or described, the cwt.	1	0	0
Pack Thread, the cwt.	0	15	0	Latten, the cwt.	1	0	0
Sisters Thread, the lb.	0	4	0	Silver, for every 100l. of the Value	25	0	0
Whited-brown Thread, the Dozen lbs.	0	18	0	Woad, the cwt.	0	3	0
not otherwise enumerated or described, for every 100l. of the Value	25	0	0	Wood, viz.			
Tin, the cwt.	2	10	0	Deals, viz.			
Manufactures of, for every 100l. of the Value	20	0	0	above 7 Inches in Width, above 21 Feet in Length, and not above 45 Feet in Length, and not above 3½ Inches in Thickness, the 120	44	0	0
Tinfoil, for every 100l. of the Value	25	0	0	above 45 Feet in Length, or above 3½ Inches in Thickness (not being Timber 8 Inches square) the Load containing 50 Cubic Feet	2	10	0
Tobacco, unmanufactured, viz.				and further, the 120	6	0	0
the Produce of and imported from any British Possession in America, the lb.	0	3	9	Wool, of Sheep or Lambs, viz.			
manufactured in the United Kingdom at or within Two Miles of any Port into which Tobacco may be imported, made into Shag, Roll, or Carrot Tobacco, the lb. (draw-back 3s. 6d.)				the Produce of and imported from any British Possession	Free.		
Tobacco Pipes, for every 100l. of the Value	30	0	0	the Produce of or imported from any other Place, viz.			
Tooth Powder, for every 100l. of the Value	30	0	0	not being of the Value of 1s. the lb. thereof, the lb.	0	0	0½
Tornal or Turnsole, the cwt.	0	5	0	of the Value of 1s. the lb. or upwards the lb.	0	0	1
Tortoise Shell, unmanufactured, the lb.	0	2	0	Woollens, viz.			
the Produce of and imported from any British Possession, the lb.	0	1	0	Manufactures of Wool (not being Goats Wool) or of Wool mixed with Cotton, not particularly enumerated or described in this or any other Act, for every 100l. of the Value	15	0	0
Tow or Codilla, See Flax.				Yarn, viz.			
Toys, for every 100l. of the Value	20	0	0	Cable Yarn, the cwt.	0	10	9
Truffles, the lb.	0	2	6	Camel or Mohair Yarn, the lb.	0	0	3
Turmeric, the Produce of and imported from any British Possession, the lb.	0	0	2	Grogam Yarn, the lb.	0	0	6
Turnery, for every 100l. of the Value	30	0	0	Worsted Yarn, being of Two or more Threads, twisted or thrown, the lb.	0	0	6
Turpentine, viz.				Goods, Wares, and Merchandize, being either in part or wholly manufactured, and not being particularly enumerated or described in this or any other Act, and not prohibited to be imported into or used in Great Britain or Ireland, for every 100l. of the Value	20	0	0
not being of greater Value than 12s. the cwt. thereof, the cwt.	0	4	4	Goods, Wares, and Merchandize, not being either in part or wholly manufactured, and not being particularly enumerated or described in this or any other Act, and not prohibited to be imported into or used in Great Britain or Ireland, for every 100l. of the Value	10	0	0
being of greater Value than 12s. the cwt. thereof, the cwt.	1	6	2				
of Venice, Scio, or Cyprus, the lb.	0	0	10				
Valonia, the cwt.	0	1	6				
Varnish, not otherwise enumerated or described, for every 100l. of the Value	30	0	0				
Verdigris of all Sorts, the lb.	0	2	0				
Vermillion, the lb.	0	1	0				
Watches, for every 100l. of the Value	25	0	0				
Watch Glasses, for every 100l. of the Value	20	0	0				
and further for every cwt.	6	6	0				

(B.)

A TABLE of the DUTIES of CUSTOMS payable by Measures of Capacity, on Goods, Wares, and Merchandize imported into the United Kingdom from Foreign Parts, according to the present Standard Gallon and Bushel; and of the Drawbacks to be allowed on the Exportation of such Goods, Wares, and Merchandize, until the 1st January 1826, and of the Duties payable thereon, on and after the 1st January 1826, according to the Imperial Gallon and Bushel.

## DUTY,—INWARDS.

	£	s.	d.		£	s.	d.
Apples, until the 1st January 1826, the Bushel	0	4	0	Balsam, and further, as Foreign Spirits, for every Gallon	1	4	0
on and after the 1st January 1826, the Bushel, Imperial measure	0	4	0	Riga, on and after the 1st January 1826, the lb.	0	1	0
dried, until the 1st January 1826, the Bushel	0	7	0	and further, as Foreign Spirits, for every Gallon, Imperial Measure	1	10	0
on and after the 1st January 1826, the Bushel, Imperial Measure	0	7	0	Beans, Kidney or French Beans, until the 1st January 1826, the Bushel	0	0	10
Falsom, viz.				on and after the 1st January 1826, the Bushel, Imperial Measure	0	0	10
Riga, until the 1st January 1826, the lb.	0	1	0				



## DUTY,—INWARDS,—Continued.

	£.	s.	d.		£.	s.	d.
<b>Beer, viz.</b>				<b>Oil of Hempseed, on and after the 1st January 1826, the Tun, Imperial Measure</b>	39	18	0
Mum, until the 1st January 1826, the Barrel containing 32 Gallons	3	2	2	of Linseed, until the 1st January 1826, the Tun	33	5	0
- - - on and after the 1st January 1826, the Barrel, containing 32 gallons, Imperial Measure	3	1	1	- - - on and after the 1st January 1826, the Tun, Imperial Measure	39	18	0
Spruce, until the 1st January 1826, the Barrel, containing 32 Gallons	3	7	0	of Olives, until the 1st January 1826, the Tun	7	0	0
- - - on and after the 1st January 1826, the Barrel, containing 32 Gallons, Imperial Measure	3	6	0	- - - on and after the 1st January 1826, the Tun, Imperial Measure	8	8	0
or Ale of all other Sorts, until the 1st January 1826, the Barrel, containing 32 Gallons	2	14	0	of Rape Seed, until the 1st January 1826, the Tun	33	5	0
- - - on and after the 1st January 1826, the Barrel, containing 32 Gallons, Imperial Measure	2	13	0	- - - on and after the 1st January 1826, the Tun, Imperial Measure	39	18	0
<b>Bottles, viz.</b>				Seed Oil, not otherwise enumerated or described, until the 1st January 1826, the Tun	33	5	0
of Glass covered with Wicker, until the 1st January 1826, the Dozen Quarts	1	2	0	- - - on and after the 1st January 1826, the Tun, Imperial Measure	39	18	0
- - - and further, for every cwt.	6	6	0	Train Oil, Blubber, Spermaceti Oil, and Head Matter, viz.			
- - - on and after the 1st January 1826, the Dozen Quarts, Imperial Measure	1	2	0	- - - the Produce of Fish, or Creatures living in the Sea, taken and caught by the Crews of British Ships, and imported direct from the Fishery, or from any British Possession in British Ships, until the 1st January 1826, the Tun	0	1	0
- - - and further, for every cwt.	6	6	0	- - - on and after the 1st January 1826, the Tun, Imperial Measure	0	1	0
of Green or Common Glass, not of less Content than One Pint, and not being Phials, viz.				- - - the Produce of Fish or Creatures living in the Sea, of Foreign Fishing, or if otherwise imported, until the 1st January 1826, the Tun	22	3	4
- - - full, until the 1st of January 1826, the Dozen Quarts	0	4	0	- - - on and after the 1st January 1826, the Tun, Imperial Measure	26	12	0
- - - on and after the 1st January 1826, the Dozen Quarts, Imperial Measure	0	4	0	<b>Olives, until the 1st January 1826, the Gallon</b>	0	1	8
- - - empty, until the 1st January 1826, the Dozen Quarts	0	2	0	on and after the 1st January 1826, the Gallon, Imperial Measure	0	2	0
- - - on and after the 1st January 1826, the Dozen Quarts, Imperial Measure	0	2	0	<b>Onions, until the 1st January 1826, the Bushel</b>	0	3	0
<b>Buck Wheat, until the 1st January 1826, the Quarter</b>	0	14	0	on and after the 1st January 1826, the Bushel, Imperial Measure	0	3	0
on and after the 1st January 1826, the Quarter, Imperial Measure	0	14	0	<b>Orange Flower Water, until the 1st January 1826, the Gallon</b>	0	3	2
<b>Cider, until the 1st of January 1826, the Tun</b>	18	0	0	on and after the 1st January 1826, the Gallon, Imperial Measure	0	3	9
on and after the 1st January 1826, the Tun, Imperial Measure	21	10	0	<b>Pears, until the 1st January 1826, the Bushel</b>	0	7	6
<b>Cranberries, until the 1st January 1826, the Gallon</b>	0	0	6	on and after the 1st January 1826, the Bushel, Imperial Measure	0	7	6
on and after the 1st January 1826, the Gallon, Imperial Measure	0	0	6	dried, until the 1st January 1826, the Bushel	0	10	0
<b>Cucumbers, pickled, until the 1st January 1826, the Gallon</b>	0	2	6	- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	10	0
on and after the 1st January 1826, the Gallon, Imperial Measure	0	3	0	<b>Peas, See Seed.</b>			
<b>Fish, viz.</b>				<b>Perry, until the 1st January 1826, the Tun</b>	18	18	0
Oysters, until the 1st January 1826, the Winchester Bushel	0	1	6	on and after the 1st January 1826, the Tun, Imperial Measure	22	13	8
- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	1	6	<b>Pickles of all Sorts, not otherwise enumerated or described, until the 1st January 1826, the Gallon</b>	0	5	0
Sturgeon, until the 1st January 1826, the Keg, containing Five Gallons	0	7	6	on and after the 1st January 1826, the Gallon, Imperial Measure	0	6	0
- - - on and after the 1st January 1826, the Keg, containing Five Gallons, Imperial Measure	0	9	0	<b>Rape of Grapes, until 1st January 1826, the Tun</b>	11	1	8
<b>Lentils, until the 1st January 1826, the Bushel</b>	0	0	10	on and after the 1st January 1826, the Tun, Imperial Measure	13	6	0
on and after the 1st January 1826, the Bushel, Imperial Measure	0	0	10	<b>Rennett, until the 1st January 1826, the Gallon</b>	0	0	6
<b>Mangoes, until the 1st January 1826, the Gallon</b>	0	5	0	on and after the 1st January 1826, the Gallon, Imperial Measure	0	0	6
on and after the 1st January 1826, the Gallon, Imperial Measure	0	6	0	<b>Rice, viz.</b>			
<b>Mead or Metheglin, until the 1st January 1826, the Gallon</b>	0	5	6	rough and in the Husk, or Paddy, until the 1st January 1826, the Bushel	0	2	6
on and after the 1st January 1826, the Gallon, Imperial Measure	0	6	7	- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	2	6
<b>Medlars, until the 1st January 1826, the Bushel</b>	0	5	0	the Produce of any British Possession, viz.			
on and after the 1st January 1826, the Bushel, Imperial Measure	0	5	0	- - - rough and in the Husk, or Paddy, until the 1st January 1826, the Bushel	0	0	7½
<b>Nuts, viz.</b>				- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	0	7½
Chesnuts, until the 1st January 1826, the Bushel	0	2	0	<b>Seed, viz.</b>			
- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	2	0	Acorns, until the 1st January 1826, the Bushel	0	1	0
Small Nuts, until the 1st January 1826, the Bushel	0	2	0	- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	1	0
- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	2	0	<b>Cole Seed, until the 1st January 1826, the Last</b>	10	0	0
Walnuts, until the 1st January 1826, the Bushel	0	2	0	- - - on and after the 1st January 1826 to the 6th January 1826, the Last, Imperial Measure	10	6	3
- - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	2	0	- - - from the 5th January 1826 to the 6th July 1826, the Last, Imperial Measure	5	0	0
<b>Oil, viz.</b>							
of Hempseed, until the 1st January 1826, the Tun	33	5	0				



## DUTY,—INWARDS,—Continued.

Seed—continued.	£	s.	d.		£	s.	d.
— Cole Seed, after the 5th July 1826, the Last, Imperial Measure	0	10	0				
— Flax Seed, until the 1st January 1826, the Bushel	0	0	5				
— - - from the 1st January 1826 to the 6th April 1826, the Bushel, Imperial Measure	0	0	5				
— - - after the 5th April 1826, the Quarter, Imperial Measure	0	1	0				
— Hemp Seed, until the 1st January 1826, the Quarter	2	0	0				
— - - on and after the 1st January 1826, the Quarter, Imperial Measure	2	0	0				
— - - the Produce of and imported from the British Colonies or Plantations in America, until the 1st January 1826, the Quarter	0	1	0				
— - - on and after the 1st January 1826, the Quarter, Imperial Measure	0	1	0				
— Linseed, until the 1st January 1826, the Bushel	0	0	5				
— - - from the 1st January 1826, to the 6th April 1826, the Bushel, Imperial Measure	0	0	5				
— - - after the 5th April 1826, the Quarter, Imperial Measure	0	1	0				
— Mustard Seed, until the 1st January 1826, the Bushel	0	8	0				
— - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	8	0				
— Peas, when prohibited to be imported as Corn, viz.							
— - - until the 1st January 1826, the Bushel	0	7	6				
— - - on and after the 1st January 1826, the Bushel, Imperial Measure	0	7	6				
— Rape Seed, until the 1st January 1826, the Last	10	0	0				
— - - on and after the 1st January 1826 to the 6th January 1826, the Last, 10 Quarters, Imperial Measure	10	6	3				
— - - from the 5th January 1826 to the 6th July 1826, the Last, Imperial Measure	5	0	0				
— - - after the 5th July 1826, the Last, Imperial Measure	0	10	0				
— all Seeds not before enumerated or described, commonly made use of for extracting Oil therefrom, until the 1st January 1826, the Last	10	0	0				
— - - on and after the 1st January 1826, to the 6th January 1826, the Last, Imperial Measure	10	6	3				
— - - from the 5th January 1826, to the 6th July 1826, the Last	5	0	0				
— - - after the 5th July 1826, the Last	0	10	0				
Spirits or Strong Waters of all Sorts, viz.							
— the Duties payable on or before the 5th July 1825, to continue in force and be payable until the 5th January 1826.							
— on and after the 5th January 1826, for every Gallon of such Spirits or Strong Waters, of any Strength not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater Strength than the Strength of Proof; and for any greater or less Quantity than a Gallon, viz.							
— - - not being Spirits or Strong Waters, the Produce of any British Possession in America, or of any British Possession within the Limits of the East India Company's Charter, and not being sweetened Spirits or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, the Gallon	1	2	6				
— - - Spirits or Strong Waters, the Produce of any British Possession in America, not being sweetened Spirits or Spirits so mixed as aforesaid, the Gallon	0	8	6				
— - - Spirits or Strong Waters the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits, or Spirits so mixed as aforesaid, the Gallon	1	0	0				
— - - Spirits, Cordials, or Strong Waters respectively, not being the Produce of any British Possession in Ame-							
rica, sweetened or mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, the Gallon	1	10	0				
— - - Spirits, Cordials, and Strong Waters respectively, being the Produce of any British Possession in America, sweetened or mixed with any Article, so that the Degree of Strength cannot be exactly ascertained by such Hydrometer, the Gallon	1	0	0				
Tar, viz.							
— the Last, containing 12 Barrels, each Barrel not exceeding 31½ Gallons, until the 1st January 1826	0	12	6				
— - - on and after the 1st January 1826, Imperial Measure	0	15	0				
— the Produce of any British Colony or Plantation, the Last, containing 12 Barrels, each Barrel not exceeding 31½ Gallons, until the 1st January 1826	0	10	0				
— - - on and after the 1st January 1826, Imperial Measure	0	12	0				
Tares, until the 1st January 1826, the Quarter	0	10	0				
— on and after the 1st January 1826, the Quarter, Imperial Measure	0	10	0				
Tarras, until the 1st January 1826, the Bushel	0	1	3				
— on and after the 1st January 1826, the Bushel, Imperial Measure	0	1	3				
Verjuice, until the 1st January 1826, the Tun	61	7	0				
— on and after the 1st January 1826, the Tun, Imperial Measure	73	12	9				
Vinegar or Acetous Acid, until the 1st January 1826, the Tun	15	15	0				
— on and after the 1st January 1826, the Tun, Imperial Measure	18	18	0				
Water, viz.							
— Arquebusade,							
— Citron,							
— Cordial,							
— Hungary,							
— Lavender,							
— Cologne Water, the Flask, 30 of such Flasks containing not more than One Gallon, until the 1st January 1826	0	1	0				
— - - on and after the 1st January 1826, Imperial Measure	0	1	0				
— Mineral or Natural Water, the Dozen Bottles or Flasks, each Bottle or Flask not exceeding Three Pints, until the 1st January 1826	0	4	0				
— - - on and after the 1st January 1826, Imperial Measure	0	4	0				
Wheat, the Produce of the British Possessions in North America and imported direct from thence, until the 1st January 1826, the Quarter	0	5	0				
— - - on and after the 1st January 1826, the Quarter, Imperial Measure	0	5	0				
Wine, viz.							
— the Produce of His Majesty's Settlement of the Cape of Good Hope, or the Territories or Dependencies thereof, imported direct from thence, until the 1st January 1826, the Gallon (drawback 2s.)	0	2	0				
— - - from the 1st January 1826 to the 6th January 1830, the Gallon, Imperial Measure (drawback 2s. 5d.)	0	2	5				
— - - after the 5th January 1830, the Gallon, Imperial Measure (drawback 3s.)	0	3	0				
— French, until the 1st January 1826, the Gallon (drawback 6s.)	0	6	0				
— - - on and after the 1st January 1826, the Gallon, Imperial Measure (drawback 7s. 3d.)	0	7	3				
— all Wine not otherwise enumerated or described, until the 1st January 1826, the Gallon (drawback 4s.)	0	4	0				
— - - on and after the 1st January 1826, the Gallon, Imperial Measure (drawback 4s. 10d.)	0	4	10				

(C.)

## A TABLE of DUTIES of CUSTOMS payable on Wool exported from the United Kingdom to Foreign Parts.

## DUTY,—OUTWARDS.

Wool, viz.	£	s.	d.	Wool, - - - of the Value of 1s. the lb. or upwards, the lb,	£	s.	d.
— Sheep or Lambs Wool, viz.				— Hare or Coney Wool, the lb.	0	0	1
— - - not being of the Value of 1s. the lb. thereof, the lb.	0	0	0½		0	0	1

D

(D.)

A TABLE of the DUTIES of CUSTOMS payable by Measures of Capacity, on Goods, Wares, and Merchandize exported from the United Kingdom to Foreign Parts, according to the present Standard Gallon and Bushel, until the 1st January 1826; and of the Duties payable thereon, on and after the 1st January 1826, according to the Imperial Gallon and Bushel.

## DUTY,.....OUTWARDS.

	£	s.	d.		£	s.	d.
Coals and Cinders, usually sold by Measure, viz.				Culm, viz.			
exported to the Isle of Man, viz.				exported to the Isle of Man, viz.			
- - until the 1st January 1826, the Chaldron, Winchester Measure	0	1	6	- - until the 1st January 1826, the Chaldron, Winchester Measure	0	0	6
- - on and after the 1st January 1826, the Chaldron, Imperial Measure	0	1	6	- - on and after the 1st January 1826, the Chaldron, Imperial Measure	0	0	6
exported to any British Possession, viz.				exported to any British Possession, viz.			
- - until the 1st January 1826, the Chaldron, Winchester Measure	0	1	6	- - until the 1st January 1826, the Chaldron, Winchester Measure	0	0	6
- - on and after the 1st January 1826, the Chaldron, Imperial Measure	0	1	6	- - on and after the 1st January 1826, the Chaldron, Imperial Measure	0	0	6

(E.)

## A TABLE OF DUTIES COASTWISE.

A TABLE of the DUTIES of CUSTOMS payable by Measures of Capacity, on Goods, Wares, and Merchandize brought or sent Coastwise, from one Port or Place to any other Port or Place within the United Kingdom, according to the present Standard Bushel; and of the DRAWBACKS to be allowed upon the Exportation thereof, until the 1st January 1826; and of the DUTIES payable thereon, on and after the 1st January 1826, according to the Imperial Bushel.

## DUTY,.....COASTWISE.

	£	s.	d.		£	s.	d.
Coals, Culm, and Cinders, except Charcoal made of Wood, viz.				Cinders, viz.			
Coals, except small Coals, otherwise charged with Duty, viz.				made of Pit Coal, brought Coastwise from any Port in the United Kingdom into any Port in England or Wales, the Chaldron, Winchester Measure, viz.			
brought Coastwise from any Port or Place in the United Kingdom into any Port in England or Wales, viz.				- - until the 1st January 1826	0	6	0
- - in case they be such as are most usually sold by Measure, the Chaldron, Winchester Measure, until the 1st January 1826 (drawback 5s. 6d.)	0	6	0	- - on and after the 1st January 1826, Imperial Measure	0	6	0
- - on and after the 1st January 1826, the Chaldron, Imperial Measure (drawback 5s. 6d.)	0	6	0	Coals, viz.			
Culm, viz.				shipped to be carried Coastwise from the Port of Newcastle-upon-Tyne to any other Port in the United Kingdom, the Chaldron, Newcastle Measure, viz.			
to be used for burning Lime, sent from any Place within the Limits of the Port of Milford in the County of Pembroke, to any other Place within the Counties of Pembroke, Carmarthen, Cardigan, or Merioneth, the Chaldron, Winchester Measure, viz.				- - until the 1st January 1826	0	1	0
- - until the 1st January 1826	0	1	3	- - on and after the 1st January 1826, the Chaldron, Imperial Measure	0	0	6
- - on and after the 1st January 1826, Imperial Measure	0	1	0	Small Coals which have been screened through a Screen or Riddle, the Bars of which not being in any Part thereof more than Three-eighths of an Inch asunder, and Ashes mixed with such Coals, shipped to be carried Coastwise from the Ports of Newcastle or Sunderland to any Port in England or Wales, the Chaldron, Winchester Measure, viz.			
not having been so sent or charged with Duty, brought Coastwise from any Port in the United Kingdom into any Port in England or Wales, the Chaldron, Winchester Measure, viz.				- - until the 1st January 1826	0	1	0
- - until the 1st January 1826 (drawback 1s. 2d.)	0	1	3	- - on and after the 1st January 1826, Imperial Measure	0	1	0
- - on and after the 1st January 1826, Imperial Measure (drawback 1s.)	0	1	0	- - not subject to the Duty imposed upon Coals brought Coastwise.			

## Anno Sexto Georgii IV. Regis.

## CAP. CXIV.

An Act to regulate the Trade of the British Possessions Abroad.

[5th July, 1825.]

6 Geo. 4.  
c. 103.

WHEREAS, an Act was passed in the present Session of Parliament, intituled *An Act to repeal the several Laws relating to the Customs*; in which it is declared that the Laws of the Customs have become intricate by reason of the great number of Acts relating thereto, which have been passed through a long series of

years; and it is therefore highly expedient, for the interests of Commerce and the ends of Justice, and also for affording convenience and facility to all persons who may be subject to the operation of those Laws, or who may be authorised to act in the execution thereof, that all the Statutes now in force relating to the Customs



from and after the Fifth Day of *January*, One thousand, eight hundred and twenty-six, this Act shall come into and be and continue in full Force and Operation, for the regulating of the Trade of the *British Possessions Abroad*.

II. And be it further enacted, That no Goods shall be Imported into, nor shall any Goods, except the Produce of the Fisheries in *British* Ships, be exported from, any of the *British* Possessions in *America* by Sea, from or to any place other than the United Kingdom, or some other of such Possessions, except into or from the several Ports in such Possessions, called “Free Ports,” enumerated or described in the Table following, that is to say :

Any Port where there is a Custom House,	Bahamas.
Bridgetown,	Barbadoes.
Saint John's, Saint Andrew's,	New Brunswick.
Halifax,	Nova Scotia.
Quebec,	Canada.
Saint John's,	Newfoundland.
George Town,	Demerara.
New Amsterdam,	Berbice.
Castries,	Saint Lucia.
Basseterre,	Saint Kitts.
Charles Town,	Nevis.
Plymouth,	Montserrat.

V. And be it further enacted, That nothing contained in this Act, or any other Act passed in the present Session of Parliament, shall extend to repeal or in any way alter or affect an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to authorize His Majesty under certain Circumstances, to regulate the Duties and Drawbacks on Goods Imported or Exported in Foreign Vessels, and to exempt certain Foreign Vessels from Pilotage* ; nor to repeal or in any way alter or affect an Act passed in the Fifth Year of the Reign of His present Majesty, among other things, to amend the last mentioned Act, and that all Trade and Intercourse between the *British Possessions* and all Foreign Countries shall be subject to the Powers granted to His Majesty by those Acts.

VI. Provided always, and be it further enacted, That until the expiration of ten years, to be computed from the Twenty-fourth Day of June, One thousand, eight hundred and twenty-two, every Foreign Ship which previous to that day had been engaged in Trade between any of the *British Possessions in America*, and other places in *America*, shall, for the purposes of this Act, be deemed to be a Ship of the Country or Place to which she had then belonged, if still belonging thereto; any thing in the Law of Navigation to the contrary notwithstanding.

Foreign  
Ships trad-  
ing between  
British Pos-  
sessions and  
other places  
in America,  
and the  
said Ships of  
the place to  
which they  
belong, un-  
til the 24th  
June 1832.

VII. And be it further enacted, That the several sorts of Goods enumerated or described in the Table following, denominated "A Table of Prohibitions and Restrictions," are hereby prohibited to be imported or brought, either by Sea or by Inland Carriage or Navigation, into the *British Possessions in America*, or into the Island of *Mauritius*, or shall be so imported or brought, only under the Restrictions mentioned in such Table, according as the several sorts of such Goods are set forth therein, that is to say :

Goods pro-  
hibited or  
restricted to  
be imported  
into Colo-  
nies.



## A TABLE OF PROHIBITIONS AND RESTRICTIONS.

Gunpowder,  
Arms,  
Ammunitions or Utensils of War,  
Beef, Fresh or Salted, } Except into *Newfoundland*.  
Pork, }  
Prohibited to be imported, except from the United Kingdom, or  
from some other *British Possessions*.

Tea,  
Prohibited to be imported, except from the United Kingdom, or  
from some other *British Possession in America*, unless by the  
*East India Company*, or with their Licence.

Fish, Dried or Salted,  
Train Oil, Blubber, Fins, or Skins, the Produce of Creatures living  
in the Sea,  
Prohibited to be imported, except from the United Kingdom, or  
from some other *British Possession*, or unless taken by *British*  
Ships fitted out from the United Kingdom, or from some *British*  
Possession, and brought in from the Fishery, and except

Goods im- And if any Goods shall be imported or brought into any  
ported con- of the *British Possessions in America*, or into the Island  
trary here- of *Mauritius*, contrary to any of the Prohibitions or Res-  
to, forfeit- trictions mentioned in such Table in respect of such  
ed. Goods, the same shall be forfeited.

Coffee, &c. VIII. And be it further enacted, That all Coffee, Cocoa  
though Nuts, Sugar, Melasses, and Rum (although the same may  
British, be of the *British Plantations*) imported into any of the  
deemed Fo- *British Possessions in America*, into which the like  
reign in cer- Goods of Foreign Production can be legally imported,  
tain cases. shall upon subsequent Importation from thence into any  
of the *British Possessions in America*, into which such  
Goods, being of Foreign Production, cannot be legally  
Imported, or into the Island of *Mauritius*, or into the  
United Kingdom, be deemed to be of Foreign Produc-

Herrings from the *Isle of Man*, taken and cured by the Inha-  
bitants thereof.

Coffee,  
Cocoa Nuts,  
Sugar,  
Melasses,  
Rum, being of Foreign Production, or the Production of any place  
within the Limits of the *East India Company's Charter*, ex-  
cept the Island of *Mauritius*, prohibited to be imported into  
any of the *British Possessions on the Continent of South Ame-  
rica* or in the *West Indies*, except the *Bahama* and *Bermuda*  
Islands, or into the Island of *Mauritius*, and may also be pro-  
hibited to be imported into the *Bahama* or the *Bermuda* Is-  
lands by His Majesty's Order in Council.

Base or counterfeit Coin,  
Books, such as are prohibited to be imported into the United  
Kingdom:  
Prohibited to be imported.

tion, and shall be liable, on such Importation respect-  
ively, to the same Duties or the same Forfeitures, as  
Articles of the like Description, being of Foreign Pro-  
duction, would be liable to, unless the same shall have  
been Warehoused under the Provisions of this Act, and  
Exported from the Warehouse direct to such other *British*  
Possession, or to the Island of *Mauritius*, or the  
United Kingdom, as the case may be.

IX. And be it further enacted, That there shall be  
Raised, Levied, Collected, and Paid unto His Majesty the  
several Duties of Customs, as the same are respectively  
set forth in figures in the Table of Duties herein after  
contained, upon Goods, Wares, and Merchandize import-  
ed or brought into any of His Majesty's Possessions in  
*America*, that is to say:

Duties of  
importation  
in America.

## TABLE OF DUTIES.

DUTIES payable upon Spirits, being of the Growth, Production, or Manufacture of the United Kingdom, or of any of the British Possessions in America, or the West Indies, imported into Newfoundland or Canada.

Spirits; <i>videlicet</i> , imported into Newfoundland; <i>videlicet</i> ,	Duty. £ s. d.
- - - the Produce of any of the British Possessions in South America or the West Indies; <i>videlicet</i> ,	
- - - imported from any of the British Possessions in South America or the West Indies, the Gallon	0 0 6
- - - imported from the United Kingdom, the gallon,	0 1 6
- - - imported from any other place to be deemed Foreign, and to be charged with Duty as such.	
- - - the Produce of any British Possession in North America, or of the United Kingdom, and imported from the United	

Spirits; <i>videlicet</i> ,	Duty. £ s. d.
Kingdom, or from any British Possession in America or the West Indies, the Gallon,	0 1 6
- - - imported from any other Place, to be deemed Foreign, and to be charged with Duty as such.	
Imported into Canada; <i>videlicet</i> ,	
- - - the Produce of any British Possession in South America or the West Indies, and imported from the United Kingdom, the gallon,	0 0 6
- - - imported from any other place, to be deemed foreign, and be charged with duty as such.	

DUTIES payable upon Goods, Wares, and Merchandize, not being of the Growth, Production, or Manufacture of the United Kingdom, or of any of the British Possessions in America, or of the Island of Mauritius, imported or brought into any of the British Possessions in America, or the Island of Mauritius, by Sea or by Inland Carriage or Navigation.

	Duty. £ s. d.
For every Barrel of Wheat Flour not weighing more than 196 lbs. net Weight,	0 5 0
For every Hundred Weight of Biscuit or Bread,	0 1 6
For every Barrel of Flour or Meal, not weighing more than 196 lbs. not made from Wheat,	0 2 6
For every Bushel of Wheat,	0 1 0
For every Bushel of Pease, Beans, Rye, Calavances, Oats, Barley or Indian Corn,	0 0 7

	Duty. £ s. d.
Rice, for every 100 lbs. net Weight	0 2 6
For every 1,000 Shingles not more than 12 inches in length,	0 7 0
For every 1,000 Shingles being more than 12 inches in length,	0 14 0
For every 1,000 red Oak Staves or Headings,	0 15 0
For every 1,000 white Oak Staves or Headings,	0 12 6

		£	s.	d.			£	s.	d.
For every 1,000 feet of White, Yellow, or Pitch Pine Lumber, of one inch thick,					1	1	0		
For every 1,000 feet of other kinds of wood and lumber,					1	8	0		
For every 1,000 Wood Hoops,					0	5	3		
Horses, Mules, Asses, Neat Cattle, and all other Live Stock, for every £100 of the value,					10	0	0		
Spirits, <i>videlicet</i> , Brandy, Geneva, or Cordials, for every gallon,					0	1	0		
and further, the amount of any duty payable for the time being on Spirits, the manufacture of the United Kingdom.									
Wine imported in bottles, the tun, containing 252 gallons,					7	7	0		
and further for every £100 of the true and real value thereof,					7	10	0		
Alahaster,	Essence of Lavender,	Marble, rough and worked,	Pearls,	For every 100% of the true and real Value thereof,	Duty. £ s. d.				
Anchovies,	of Rosemary,	Mosaic Work,	Precious stones, (except diamonds)						
Argol,	Emery Stone,	Medals,	Quicksilver,						
Anniseed,	Flax,	Musk,	Raisins,						
Amber,	Fruit; <i>viz.</i>	Maccaroni,	Rhubarb,						
Almonds,	dry, preserved in Sugar,	Nuts of all kinds,	Sausages,						
Brimstone,	wet, preserved in Brandy,	Oil of Olives,	Senna,						
Botargo,	Figs,	Almonds,	Scammony,						
Boxwood,	Gum Arabic,	Opium,	Sarsaparilla,						
Currants,	Mastic,	Orris Root,	Saffron,						
Capers,	Myrrh,	Ostrich Feathers,	Safflower,						
Cascao,	Sicily,	Ochres,	Sponges,						
Cantharides,	Ammoniac,	Orange Buds and Peel,	Tar,						
Cummin Seed,	Hemp,	Olives,	Tow,						
Coral,	Honey,	Pitch,	Turpentine,						
Cork,	Jalap,	Pickles, in Jars and Bottles,	Vermillion,						
Cinnabar,	Iron in Bars unwrought, and pig	Paintings,	Vermicelli,						
Dates,	Iron,	Pozzolana,	Whetstones,						
Essence of Bergamot,	Juniper Berries,	Pumice Stone,							
of Lemon,	Incense of Frankincense,	Punk							
of Roses,	Lava & Malta Stone for building,	Parmesan Cheese,							
of Citron,	Lentils,	Pickles,							
of Oranges,	Manna,	Prints,							
Clocks and Watches,	Linen,	Wires of all Sorts,	{ For every 100% of the true }	30	0	0			
Leather Manufactures,	Musical Instruments,	Books and Papers,	{ and real Value thereof, }						
Glass and Manufactures,	Refined Sugar,	Tobacco Manufactured,	{ For every 100% of the true }	20	0	0			
Soap,	Sugar Candy,		{ and real Value thereof, }						
Hay and Straw,		Cord Wood for Fuel and Saw Logs brought into Upper Canada,	Duty Free.						
Coin and Bullion,		Herrings taken and cured by the Inhabitants of the Isle of Man,							
Diamonds,		and imported direct from thence,							
Salt,		Any sort of Craft, Food, and Victuals, except Spirits, and any sort of							
Fruit and Vegetables, Fresh,		Cloathing and Implements, or Materials fit and necessary for the							
Cotton Wool,		British Fisheries in America, imported into the place at or from							
Goods, the Produce of Places within the Limits of the East India		whence such Fishery is carried on, in British Ships,							
Company's Charter,		Rice and Indian Corn, and Lumber, the Produce of any British Pos-							
Horses of Persons travelling into or through the Province of Upper		sessions on the West Coast of Africa, and imported direct from							
Canada, and necessarily used in removing themselves, their Fami-		thence,							
lies and Baggage,									
Goods, Wares, or Merchandize, not being enumerated or described, nor	{ For every 100% of the true and real Value thereof, }			15	0	0			
otherwise Charged with Duty by this Act,									

Abatement  
of Duty and  
Remission  
of Duty in  
certain  
cases.

And if any of the Goods herein-before mentioned shall be imported through the United Kingdom, (having been Warehoused therein, and exported from the Warehouse, or the Duties thereon, if then paid, having been drawn back,) one tenth part of the Duties herein imposed shall be remitted in respect of such Goods; and if any of the Goods herein-before mentioned shall be imported through the United Kingdom (not from the Warehouse,) but after all Duties of Importation for home use thereon shall have been paid thereon in the said United Kingdom, and not drawn back, such Goods shall be free of all Duties herein imposed.

Not to re- X. And be it further enacted, That nothing in this  
peal Act 18 Act or in any other Act passed in the present Session

of Parliament, shall extend to repeal or abrogate, or in any way to alter or affect an Act passed in the Eighteenth Year of the Reign of His late Majesty King George the Third, intituled, *An Act for removing all doubts and apprehensions concerning Taxation by the Parliament of Great Britain, in any of the Colonies, Provinces and Plantations in North America and the West Indies, and for repealing so much of an Act made in the Seventh Year of the Reign of His present Majesty, as imposes a Duty on Tea imported from Great Britain into any Colony or Plantation in America, as relates thereto*, nor to repeal or in any way alter or affect any Act now in force, which was passed prior to the last mentioned Act, and by which any Duties in any of the British Possessions in America were granted and still continue payable to the

Geo. 3, c.  
12.

nor to re-  
peal Duties  
granted  
prior to that  
Act; Nor  
to repeal 31,  
G. 3. c. 31.



Crown; nor to repeal; or in any way alter or affect an Act passed in the Thirty-first Year of the Reign of His late Majesty King George the Third, intituled, *An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled, 'An Act for making more effectual Provisions for the Government of the Province of Quebec in North America, and to make further Provisions for the Government of the said Province.'*

Duties imposed by Acts prior to Act 18. G. 3. to be applied to purposes of those Acts.

XI. And be it further enacted, that the Duties imposed by any of the Acts herein-before mentioned or referred to, passed prior to the said Act of the Eighteenth Year of His late Majesty's Reign, shall be received, accounted for, and applied for the purposes of those Acts: Provided always, that no greater proportion of the Duties imposed by this Act shall be charged upon any article which is subject also to Duty under any of the said Acts, or subject also to Duty under any Colonial Law, than the amount, if any, by which the Duty charged by this Act shall exceed such other Duty or Duties: Provided nevertheless, that the full amount of the Duties mentioned in this Act, whether on account of such former Acts, or on account of such Colonial Law, or on account of this Act, shall be levied and recovered and received under the regulations, and by the means and powers of this Act.

Currency, Weights, and Measures.

XII. And be it further enacted, That all sums of money granted or imposed by this Act, either as Duties, Penalties or Forfeitures, in the *British Possessions in America*, shall be deemed and are hereby declared to be Sterling Money of *Great Britain*, and shall be collected, recovered, and paid to the amount of the Value which such nominal sums bear in *Great Britain*; and that such Monies may be received and taken according to the proportion and Value of Five Shillings and Sixpence the Ounce in Silver; and that all Duties shall be paid and received in every part of the *British Possessions in America*, according to *British Weights and Measures* in use at the time of passing of this Act, and that in all cases where such Duties are imposed according to any specific quantity, or any specific Value, the same shall be deemed to apply in the same proportion to any greater or less quantity or value; And that all such Duties shall be under the management of the Commissioners of the Customs.

Duties paid by Collector or of Customs to the Treasurer of Colony in which levied.

XIII. And be it further enacted. That the Produce of the Duties so received by the means and powers of this Act, except such Duties as are payable to His Majesty under any Act passed prior to the Eighteenth Year of His late Majesty as aforesaid, shall be Paid by the Collector of the Customs, into the hands of the Treasurer or Receiver General of the Colony, or other proper Officer authorized to receive the same in the Colony in which the same shall be levied, to be applied to such Uses as shall be directed by the Local Legislatures of such Colonies respectively; and that the Produce of such Duties so received as aforesaid, in the Colonies which have no Local Legislature, shall and may be applied in such manner as shall be directed by the Commissioners of His Majesty's Treasury.

Drawback on Rum, &c. of British Possessions.

XIV. And be it further enacted, That there shall be allowed, upon the Exportation from *Newfoundland* to the *British Possessions in South America* or the *West*

*Indies*, a Drawback of the full Duties of Customs which shall have been paid upon the Importation thereof from any of the said places into *Newfoundland*, provided proof on oath be made to the satisfaction of the Collector and Controller of the Customs at the Port from whence such Rum or other Spirits shall be so Exported, that the full Duties on the Importation of such Rum or other Spirits at the said Port had been paid, and that a Certificate be produced under the hands and seals of the Collector and Controller of the Customs at *Quebec*, that such Rum or other Spirits had been duly landed in *Canada*; Provided always, that no Drawback shall be allowed upon any such Rum or other Spirits, unless the same shall be shipped within one year from the day of the Importation of the same, nor unless such Drawback shall be duly claimed within one year from the day of such shipment.

sions, Exported from Newfoundland and to Canada, &c.

Limitation as to Drawback.

XV. And be it further enacted, That the Master of every Ship arriving in any of the *British Possessions in America*, or the Island of *Mauritius*, or the Islands of *Guernsey, Jersey, Alderney, or Sark*, whether laden or in ballast, shall come directly, and before bulk be broken, to the Custom House for the Port or District where he arrives, and there make a report upon oath in writing, to the Collector or Controller, or other proper officer, of the arrival and voyage of such Ship, stating her name, country and tonnage, and if *British*, the Port of Registry, the Name and Country of the Master, the Country of the Owners, the Number of the Crew, and how many are of the Country of such Ship, and whether she be laden or in ballast, and if laden, the Marks, Numbers, and Contents of every Package and Parcel of Goods on Board, and where the same was laden, and where and to whom Consigned, and where any and what Goods, if any, had been unladen during the Voyage, as far as any of such particulars can be known to him; and the Master shall further answer upon Oath all such questions concerning the Ship, and the Cargo and the Crew and the Voyage, as shall be demanded of him by such Officer; and if any Goods be unladen from any Ship before such Report be made, or if the Master fail to make such Report, or make an untrue Report, or do not truly answer the questions demanded of him, he shall forfeit the sum of One Hundred Pounds; and if any Goods be not reported, such Goods shall be forfeited.

Ship and Cargo to be reported on arrival.

Particulars of Report.

Penalty for false Report.

XVI. And be it further enacted, That the Master of every Ship bound from any *British Possession in America*, or the Island of *Mauritius*, or the Islands of *Guernsey, Jersey, Alderney, or Sark*, shall, before any Goods be laden therein, deliver to the Collector or Controller, or other proper Officer, an entry outwards under his hand of the Destination of such Ship, stating her Name, Country, and Tonnage, and if *British* the Port of Registry, the Name and Country of the Master, the Country of the Owners, the Number of the Crew, and how many are of the Country of such Ship; and if any Goods be laden on board any Ship before such Entry be made, the Master of such Ship shall forfeit the Sum of Fifty Pounds; and before such Ship depart, the Master shall bring and deliver to the Collector or Controller, or other proper Officer, a Content in Writing under his Hand of the Goods laden, and the Names of the respective Shippers and Consignees of the Goods, with the Marks and Numbers of the Packages or Parcels of the same, and shall make Oath to the Truth of such Content as far as any of such Particulars can be known to him; and the

Entry Outwards of Ship for Cargo.

Particulars of Entry.

Penalty £50.

Content of the cargo to be delivered before departure.



Clearance  
of Ship for  
the voyage.

Master of every Ship bound from any *British Possession in America*, or from the Island of *Mauritius*, or from the Islands of *Guernsey, Jersey, Alderney, or Sark*, (whether in Ballast or Laden) shall before Departure come before the Collector or Controller or other proper Officer, and answer upon Oath all such Questions concerning the Ship and the Cargo, if any, and the Crew and the Voyage, as shall be demanded of him by such Officer; and thereupon the Collector and Controller or other proper Officer, if such Ship be laden, shall make out and give to the Master a Certificate of the Clearance of such Ship for her intended Voyage, containing an Account of the Total Quantities of the several sorts of Goods laden therein, or a Certificate of her clearance in Ballast, as the case may be; and if the Ship shall depart without such Clearance, or if the Master shall deliver a false Content, or shall not truly answer the Questions demanded of him, he shall forfeit the Sum of One Hundred Pounds.

Penalty for  
not Clear-  
ing £100.

Newfound-  
land Fish-  
ing Certifi-  
cates in lieu  
of Clear-  
ance during  
the fishing  
season.

XVII. Provided always, and be it further enacted, That whenever any Ship shall be cleared out from any Port in *Newfoundland* or in any other part of His Majesty's Dominions, for the Fisheries on the Banks or Coasts of *Newfoundland* or *Labrador*, or the Dependencies thereof, without having on Board any Article of Traffic (except only such Provisions, Nets, Tackle, and other things as are usually employed in and about the said Fishery, and for the conduct and carrying on of the same,) the Master of any such Ship shall be entitled to demand, from the Collector or other principal Officer of the Customs at such Port, a Certificate under his Hand that such Ship hath been specially Cleared out for the *Newfoundland* Fishery, and such Certificate shall be in force for the Fishing Season of the Year in which the same may be granted, and no longer; and upon the first arrival in any Port in the said Colony of *Newfoundland* or its Dependencies, of any Ship having on board any such Certificate as aforesaid, a Report thereof shall be made by the Master of such Ship to the principal Officer of the Customs at such Port, and all Ships having such Certificate which has been so reported, and being actually engaged in the said Fishery, or in carrying Coastwise to be landed or put on Board any other Ships engaged in the said Fishery, any Fish, Oil, Salt, Provisions, or other Necessaries, for the Use and Purposes thereof, shall be exempt from all Obligation to make any entry at, or obtain any Clearance from any Custom House at *Newfoundland*, upon Arrival at, or Departure from any of the Ports or Harbours of the said Colony or its Dependencies during the continuance of the Fishing Season for which such Certificate may have been granted; And previously to obtaining a Clearance at the End of such Season for any other Voyage at any such Ports, the Master of such Ship shall deliver up the before-mentioned Certificate to the Principal Officer of the Customs of such Port: Provided always, that in case any such Ship shall have on board, during the Time the same may be engaged in the said Fishery, any Goods or Merchandizes whatsoever, other than Fish, Seals, Oil made of Fish or Seals, Salt, Provisions, and other things, being the Produce of or usually employed in the said Fishery, such Ship shall forfeit the said Fishing Certificate, and shall thenceforth become and be subject and liable to all such and the same Rules, Restrictions and Regulations as Ships in general are subject or liable to.

At the End  
of the Sea-  
son the cer-  
tificate to  
be deliver-  
ed up.

Ships trad-  
ing to for-  
feit their  
Certificate.

XVIII. And be it further enacted, That no Goods shall be Laden, or Water-borne to be Laden on Board any Ship, or Unladen from any Ship in any of the *British Possessions in America*, or the Island of *Mauritius*, or the Islands of *Guernsey, Jersey, Alderney, or Sark*, until due entry shall have been made of such Goods, and Warrant granted for the Lading or Unlading of the same; and that no Goods shall be so Laden or Water-borne, or so Unladen, except at some Place at which an Officer of the Customs is appointed to attend the Lading and Unlading of Goods, or at some Place for which a Sufferance shall be Granted by the Collector and Controller for the Lading and Unlading of such Goods; And that no Goods shall be so Laden or Unladen except in the Presence or with the Permission in Writing of the proper Officer: Provided always, that it shall be Lawful for the Commissioners of His Majesty's Customs to make and appoint such other Regulations for the Carrying Coastwise of any Goods, or for the Removing of any Goods for Shipment, as to them shall appear expedient; And that all Goods Laden, Water-borne, or Unladen, contrary to the Regulations of this Act, or contrary to any Regulations so made and appointed, shall be forfeited.

Entry of  
Goods to  
be laden or  
unladen.

Regula-  
tions In-  
wards and  
Outwards.

Regula-  
tions Coast-  
wise.

Forfeiture.

XIX. And be it further enacted, That the Person entering any such Goods shall deliver to the Collector or Controller, or other proper Officer, a Bill of the Entry thereof, fairly Written in Words at length, containing the Name of the Exporter or Importer, and of the Ship, and of the Master, and of the Place to or from which Bound, and of the Place within the Port where the Goods are to be Laden or Unladen, and the particulars of the Quality and Quantity of the Goods, and the Packages containing the same, and the Marks and Numbers on the Packages, and such Person shall at the same time pay down all Duties due upon the Goods, and the Collector and Controller, or other proper Officer, shall thereupon grant their Warrant for the Lading or Unlading of such Goods.

Particulars  
of Entry of  
Goods In-  
wards and  
Outwards.

XX. And be it further enacted, That if the Importer of any Goods shall declare upon Oath before the Collector or Controller, or other proper Officer, that he cannot, for want of full Information, make perfect Entry thereof, it shall be Lawful for the Collector and Controller to receive an Entry by Bill of Sight for the Packages or Parcels of such Goods, by the best Description which can be given, and to grant a Warrant thereupon, in order that the same may be Landed and Secured to the satisfaction of the Officer of the Customs, and at the Expence of the Importer, and may be seen and examined by such Importer, in the presence of the proper Officers; and within three days after the Goods shall have been so Landed, the Importer shall make a perfect Entry thereof, and Pay down all Duties due thereon; And in default of such Entry, such Goods shall be taken to the King's Warehouse, and if the Importer shall not, within One Month after such Landing, make perfect Entry of such Goods, and Pay the Duties due thereon, together with Charges of Removal and Warehouse Rent, such Goods shall be sold for the Payment thereof, and the overplus, if any, shall be Paid to the Proprietor of the Goods.

Entry In-  
wards by  
Bill of  
Sight.

Within  
three Days  
after land-  
ing of  
goods, entry  
to be made  
and Duties  
paid.

XXI. And be it further enacted, That in all cases where the Duties imposed by this Act upon the Import-

Goods sub-  
ject to ad



valorem  
Duty.

Value to be  
declared on  
Entry.

ation of Articles into His Majesty's Possessions in *America* or the Island of *Mauritius* are charged, not according to the Weight, Tale, Gauge, or Measure, but according to the Value thereof, such Value shall be ascertained by the Declaration of the Importer of such Articles, or his known Agent, in Manner and Form following; (that is to say,)

'I, A. B. do hereby declare, that the Articles mentioned in the Entry, and contained in the Packages (here specifying the several Packages, and describing the several Marks and Numbers, as the Case may be) are of the Value of \_\_\_\_\_  
'Hand the \_\_\_\_\_ day of \_\_\_\_\_

A. B.

'The above Declaration, signed the \_\_\_\_\_ day of \_\_\_\_\_ in the presence of C. D. Collector, (or other principal Officer.)'

Mode of  
Proceeding  
if Goods be  
undervalued.

Proof of  
Invoice  
Price.

If necessary  
two Persons  
may be  
nominated  
to fix the  
Price.

If Importer  
refuse to  
pay such  
Duty, the  
Goods may  
be sold.

Which Declaration shall be Written on the Bill of Entry of such Articles, and shall be subscribed with the Hand of the Importer thereof, or his known Agent, in the presence of the Collector or other principal Officer of the Customs at the Port of Importation; Provided that if upon view and examination of such Articles by the proper Officer of the Customs, it shall appear to him that the said Articles are not valued according to the True Price or Value thereof, and according to the True Intent and Meaning of this Act, then and in such case the Importer, or his known Agent, shall be required to declare on Oath before the Collector or Controller what is the Invoice Price of such Articles, and that he verily believes such Invoice Price is the Current Value of the Articles at the Place from whence the said Articles were Imported; and such Invoice Price, with the Addition of Ten Pounds *per Centum* thereon, shall be deemed to be the Value of the Articles, in lieu of the Value so declared by the Importer or his known Agent, and upon which the Duties imposed by this Act shall be charged and paid: Provided also, that if it shall appear to the Collector and Controller, or other proper Officer, that such Articles have been Invoiced below the Real and True Value thereof, at the Place from whence the same were Imported, or if the Invoice Price is not known, the Articles shall in such case be examined by Two Competent Persons, to be nominated and appointed by the Governor or Commander in Chief of the Colony, Plantation or Island into which the said Articles are Imported, and such Persons shall declare on Oath before the Collector or Controller, or other proper Officer, what is the True and Real Value of such Articles in such Colony, Plantation, or Island, and the Value so declared on the Oaths of such Persons shall be deemed to be the True and Real Value of such Articles, and upon which the Duties imposed by this Act shall be charged and paid.

XXII. And be it further enacted, That if the Importer of such Articles shall refuse to Pay the Duties hereby imposed thereon, it shall and may be Lawful for the Collector or other Chief Officer of the Customs where such Articles shall be Imported, and he is hereby respectively required to take and secure the same, with the Casks or other Package thereof, and to cause the same to be Publicly Sold within the Space of Twenty Days at the most after such Refusal made, and at such Time and Place as such Officer shall, by Four or more Days Public Notice, appoint for that purpose, which Articles shall be Sold to the Best Bidder; and the Money arising

from the Sale thereof shall be applied in the first place in Payment of the said Duties, together with the Charges that shall have been occasioned by the said Sale, and the overplus, if any, shall be paid to such Importer or Proprietor, or any Person authorized to receive the same.

XXIII. And be it further enacted, That every Importer of any Goods shall, within Twenty Days after the arrival of the Importing Ship, make due Entry Inwards of such Goods, and Land the same; And in default of such Entry and Landing, it shall be Lawful for the Officers of the Customs to convey such Goods to the King's Warehouse; And if the Duties due upon such Goods be not Paid within Three Months after such Twenty Days shall have expired, together with all Charges of Removal and Warehouse Rent, the same shall be Sold, and the Produce thereof shall be applied first to the Payment of Freight and Charges, next of Duties, and the overplus, if any, shall be paid to the Proprietor of the Goods.

XXIV. And be it further enacted, That no Goods shall be Imported into any *British* Possession as being Imported from the United Kingdom, or from any other *British* Possession (if any advantage attach to such distinction,) unless such Goods appear upon the Cockets or other proper Documents for the same to have been duly Cleared Outwards at the Port of Exportation in the United Kingdom, or in such other *British* Possession, nor unless the Ground upon which such advantage be claimed be stated in such Cocket or Document.

XXV. And be it further enacted, That no Entry, nor any Warrant for the Landing of any Goods, or for the taking of any Goods out of any Warehouse, shall be deemed valid, unless the particulars of the Goods and Packages in such Entry shall correspond with the particulars of the Goods and Packages purporting to be the same in the Report of the Ship, or in the Certificate or other Document, where any is required, by which the Importation or Entry of such Goods is authorized, nor unless the Goods shall have been properly described in such Entry by the Denominations, and with the Characters and Circumstances, according to which such Goods are charged with Duty, or may be imported; And any Goods taken or delivered out of any Ship or out of any Warehouse by virtue of any Entry or Warrant not corresponding or agreeing in all such respects, or not properly describing the same, shall be deemed to be Goods Landed or Taken without due Entry thereof, and shall be forfeited.

XXVI. And be it further enacted, That before any Sugar, Coffee, Cocoa Nuts, Spirits, or Mahogany shall be Shipped for Exportation in any *British* Possession in *America*, or in the Island of *Mauritius*, as being the Produce of such Possession or of such Island, the Proprietor of the Estate on which such Goods were produced, or his known Agent, shall make and sign an Affidavit in Writing before the Collector or Controller at the Port of Exportation, or before one of His Majesty's Justices of the Peace, or other Officer duly authorized to administer such Oath, residing in or near the Place where such Estate is situated, declaring that such Goods are the Produce of such Estate; and such Affidavit shall set forth the Name of the Estate, and the Description and Quantity of the Goods, and the Packages containing the same, with the Marks and Numbers thereon, and

If Good be not entered in 20 Days, the Officer may land and secure them.

If Duties be not paid within three Months, Goods to be sold.

Goods imported from the United Kingdom or British Possessions must appear in Cocket, &c.

Entry not to be valid, if Goods be not properly described in it.

Certificate of Production for Sugar, Coffee, Cocoa Nuts, Spirits or Mahogany.

Oath of the Grower.



the Name of the Person to whose Charge at the Place of Shipment they are to be sent ; and if any Justice of the Peace, or other Officer aforesaid, shall subscribe his Name to any Writing, purporting to be such Affidavit, unless the Person purporting to make such Affidavit shall actually appear before him, and be Sworn to the Truth of the same, such Justice of the Peace or Officer aforesaid shall forfeit and pay for any such Offence the Sum of Fifty Pounds; And the Person Entering and Shipping such Goods shall deliver such Affidavit to the Collector or Controller, or other proper Officer, and shall make Oath before him that the Goods which are to be Shipped by Virtue of such Entry are the same as are mentioned in such Affidavit; and the Master of the Ship in which such Goods shall be Laden shall, before Clearance, make Oath before the Collector or Controller, that the Goods Shipped by Virtue of such Entry are the same as are mentioned and intended in such Affidavit, to the best of his Knowledge and Belief; and thereupon the Collector and Controller, or other proper Officer, shall Sign and Give to the Master a Certificate of Production, stating that Proof has been made, in manner required by Law, that such Goods (describing the same), are the Produce of such *British* Possession, or of such Island, and setting forth in such Certificate the Name of the Exporter, and of the Exporting Ship, and of the Master thereof, and the Destination of the Goods; and if any Sugar, Coffee, Cocoa Nuts, or Spirits be Imported into any *British* Possession in *America*, or into the Island of *Mauritius*, as being the Produce of some other such Possession, or of such Island, without such Certificate of Production, the same shall be forfeited; And if any Mahogany be so imported, the same shall be deemed to be of Foreign Production.

Oath of  
Exporter.

Oath of  
the Master.

Certificate  
of Production  
on re-  
exportation  
from ano-  
ther Colo-  
ny.

XXVII. And be it further enacted, That before any Sugar, Coffee, Cocoa Nuts, Spirits, or Mahogany shall be Shipped for Exportation in any *British* Possession in *America*, as being the Produce of some other such Possession, or of the Island of *Mauritius*, or shall be so Shipped in the said Island as being the Produce of some *British* Possession in *America*, the Person Exporting the same shall in the Entry Outwards state the Place of the Production, and refer to the Entry Inwards and Landing of such Goods, and shall make Oath before the Collector or Controller to the identity of the same; and thereupon, if such Goods shall have been duly Imported with a Certificate of Production, within Twelve Months prior to the Shipping for Exportation, the Collector and Controller shall Sign and Give to the Master a Certificate of Production founded upon and referring to the Certificate of Production under which such Goods had been so Imported, and Containing the like Particulars, together with the Date of such Importation.

Goods  
brought  
over Land  
or by In-  
land Navi-  
gation.

XXVIII. And whereas it is expedient to make Regulations respecting the Inland Trade of the *British* Possessions in *America*; Be it therefore enacted, That it shall be Lawful to bring or import by Land, or by Inland Navigation, into any of the *British* Possessions in *America*, from any adjoining Foreign Country, any Goods which might be Lawfully Imported by Sea into such Possessions from such Country, and so to bring or import such Goods in the Vessels, Boats, or Carriages of such Country, as well as in *British* Vessels, Boats, or Carriages.

What Ves-

XXIX. And be it further enacted, That no Vessel or

Boat shall be admitted to be a *British* Vessel or Boat on any of the Inland Waters or Lakes in *America*, except such as shall have been built at some Place within the *British* Dominions, and shall be wholly owned by *British* Subjects, and shall not have been repaired at any Foreign Place to a greater extent than in the proportion of Ten Shillings for every Ton of such Vessel or Boat at any one time: Provided always, that nothing hereinbefore contained shall extend to prevent the employment of any Vessel or Boat as a *British* Vessel or Boat, on such Inland Waters or Lakes which shall have wholly belonged to *British* Subjects before the passing of this Act, and which shall not be repaired as aforesaid in any Foreign Place after the passing of this Act.

sels shall be  
deemed  
*British* on  
the Lakes  
in *America*.

XXX. Provided always, and be it further enacted, That it shall not be Lawful so to bring or import any Goods, except into some Port or Place of Entry at which a Custom-House now is or hereafter may be Lawfully established: Provided also, that it shall be Lawful for the Governor, Lieutenant Governor, or Person administering the Government of any of the said Possessions respectively, by and with the Advice and Consent of the Executive Council thereof for the time being, if any Executive Council be there established, from Time to Time to diminish or increase, by Proclamation, the Number of Ports or Places of Entry, which are or hereafter may be appointed in such Province, for the Entry of Goods brought or imported as aforesaid.

Goods must  
be brought  
to a place  
where there  
is a Custom  
House.

Governor  
may ap-  
point Cus-  
tom houses.

XXXI. And be it further enacted, That the Duties imposed by this Act shall be Ascertained, Levied, and Recovered, for and upon all Goods so brought or imported, in the same manner, and by the same means, and under the same Rules, Regulations, Restrictions, Penalties and Forfeitures, as the Duties on the like Goods imported by Sea may and can be Ascertained, Levied or Recovered, as far as the same are applicable; And if any Goods shall be brought or imported contrary hereto, or if any Goods so brought or imported shall be Removed from the Station or Place appointed for the Examination of such Goods by the Officers of the Customs, before all Duties payable thereon shall have been Paid or Satisfied, such Goods shall be forfeited, together with the Vessel, Boat, or Carriage, and the Horses or other Cattle, in or by which such Goods shall have been so imported or brought or so removed.

Duties to be  
collected in  
same man-  
ner as on  
Goods im-  
ported by  
Sea.

XXXII. And be it further enacted, That the same Tonnage Duties shall be Paid upon all Vessels or Boats of the United States of *America*, Importing any Goods into either of the Provinces of *Upper* or *Lower Canada*, as are or may be for the time being payable in the United States of *America*, on *British* Vessels or Boats entering the Harbours of the State from whence such Goods shall have been imported.

Duties in  
Canada on  
American  
Boats, as in  
*British*  
Boats.

XXXIII. And whereas it is expedient to Constitute and Appoint some of the Free Ports in *America* to be Free Warehousing Ports for all Goods which may be Legally Imported into the said Ports respectively; and it is also expedient to Empower His Majesty to Constitute and Appoint from Time to Time any other Ports in any of the said *British* Possessions in *America* to be in like manner Free Warehousing Ports for such Goods as may be Legally Imported into such Ports respectively; And it is therefore necessary to make Regulations for the appointing of proper Warehouses at such Ports, and for

Ports here-  
in mention-  
ed to be  
Free Ware-  
housing  
Ports.



the Lodging and Securing of Goods therein; Be it therefore enacted, That the several Ports herein-after mentioned; (that is to say), *Kingston* in the Island of *Jamaica*, *Halifax* in *Nova-Scotia*, *Quebec* in *Canada*, *Saint John's* in *New-Brunswick*, and *Bridge Town*, in the Island of *Barbadoes*, shall be Free Warehousing Ports for the purposes of this Act; And that it shall be Lawful for the several Collectors and Controllers of the said Ports respectively by Notice in Writing under their Hand, to appoint from Time to Time such Warehouses, at such Ports respectively as shall be approved of by them, for the Free Warehousing and Securing of Goods therein, for the purposes of this Act, and also in such Notice to declare what sorts of Goods may be so Warehoused, and also by like Notice to revoke or alter any such Appointment or Declaration; Provided always, that every such Notice shall be transmitted to the Governor of the Place, and shall be published in such manner as he shall direct.

Goods may be Warehoused without payment of Duty.

XXXIV. And be it further enacted, That it shall be Lawful for the Importer of any such Goods into the said Ports, to Warehouse the same in the Warehouses so appointed, without Payment of any Duty on the first Entry thereof, subject nevertheless to the Rules, Regulations, Restrictions, and Conditions herein-after contained.

Stowage of Goods in warehouse.

Locking and opening Warehouse.

Carrying Goods to and from warehouse.

XXXV. And be it further enacted, That all Goods so Warehouse'd shall be stowed in such parts or divisions of the Warehouse, and in such manner as the Collector and Controller shall direct; and that the Warehouse shall be locked and secured in such manner, and shall be opened and visited only at such time, and in the presence of such Officers, and under such Rules and Regulations as the Collector and Controller shall direct; and that all such Goods shall, after being Landed upon Importation, be carried to the Warehouse, or shall, after being taken out of the Warehouse for Exportation, be carried to be Shipped, under such Rules and Regulations as the Collector and Controller shall direct.

Bond upon Entry of Goods to be Warehoused.

Purchaser of Goods may give Bond in lieu of original Bond.

XXXVI. And be it further enacted, That upon the Entry of any Goods to be Warehoused, the Importer of such Goods, instead of paying down the Duties due thereon, shall give Bond with Two sufficient Sureties, to be approved of by the Collector or Controller, in Treble the Duties payable on such Goods, with Condition for the Safe Depositing of such Goods in the Warehouse mentioned in such Entry, and for the Payment of all Duties due upon such Goods, or for the Exportation thereof, according to the first Account taken of such Goods upon the Landing of the same; and with further Condition, that no part thereof shall be taken out of such Warehouse until Cleared from thence upon due Entry and Payment of Duty, or upon due Entry for Exportation; And with further Condition, that the whole of such Goods shall be so Cleared from such Warehouse; And the Duties, upon any deficiency of the Quantity according to such first Account, shall be paid within Two Years from the Date of the first Entry thereof And if after such Bond shall have been given, the Goods or any part thereof shall be Sold or Disposed of, so that the original Bonder shall be no longer interested in or have controul over the same, it shall be Lawful for the Collector and Controller to admit fresh Security to be given by the Bond of the new Proprietor or other Person having controul over such Goods, with his sufficient Sureties, and to cancel the Bond given by the original

Bonder of such Goods, or to exonerate him to the extent of the fresh Security so given.

XXXVII. And be it further enacted, That if any Goods which have been entered to be Warehoused shall not be duly carried and deposited in the Warehouse, or shall afterwards be taken out of the Warehouse without due Entry and Clearance, or having been entered and cleared for Exportation from the Warehouse, shall not be duly carried and shipped or shall afterwards be re-landed, except with permission of the proper Officer of the Customs, such Goods shall be forfeited.

Goods not duly Warehoused, &c. to be forfeited.

XXXVIII. And be it further enacted, That upon the Entry and Landing of any Goods to be Warehoused, the proper Officer of the Customs shall take a particular account of the same, and shall mark the Contents on each Package, and shall enter the same in a Book to be kept for that purpose; and no Goods which have been so Warehoused shall be taken or delivered from the Warehouse, except upon due Entry, and under Care of the proper Officers for Exportation, or upon due Entry and Payment of Duty for home use; And whenever the whole of the Goods Warehoused under any Entry, shall be cleared from the Warehouse, or whenever further time shall be granted for any such Goods to remain Warehoused, an Account shall be made out of the Quantity upon which the Duties have been paid, and of the Quantity Exported, and of the Quantity (to be then ascertained) of the Goods still remaining in the Warehouse, as the Case may be, Deducting from the whole the Quantity contained in any whole Packages (if any) which may have been abandoned, for the Duties; And if upon such Account there shall in either Case appear to be any Deficiency of the original Quantity, the Duty payable upon the Amount of such Deficiency shall then be paid.

Account of Goods to be taken on Landing.

No Goods to be taken out without Entry.

Deficiencies to be ascertained.

Duties to be paid upon Deficiencies.

XXXIX. And be it further enacted, That it shall be Lawful for the Collector and Controller, under such Regulations as they shall see fit, to permit moderate Samples to be taken of any Goods so Warehoused without Entry, and without Payment of Duty, except as the same shall eventually become payable, as on a Deficiency of the original Quantity.

Samples may be taken.

XL. And be it further enacted, That it shall be Lawful for the Collector and Controller, under such Regulations as they shall see fit, to permit the Proprietor or other person having controul over any Goods so Warehoused, to Sort, Separate, and Pack and Repack any such Goods, and to make such Lawful Alterations therein, or Arrangements and Assortments thereof, as may be necessary for the preservation of such Goods, or in Order to the Sale, Shipment, or legal Disposal of the same; And also to permit any Parts of such Goods so separated to be destroyed, but without prejudice to the Claim for Duty upon the whole original Quantity of such Goods; Provided always, that it shall be Lawful for any person to abandon any whole Packages to the Officers of the Customs for the Duties, without being liable to any Duty upon the same.

Goods may be sorted and repacked.

Duty due on first Quantity.

Whole Packages may be abandoned for Duty.

XLI. And be it further enacted, That all Goods which have been so Warehoused shall be duly Cleared, either for Exportation or for Home Consumption, within Two Years from the Day of the first Entry thereof; and if any such Goods be not so Cleared it shall be Lawful for the Collector and Controller to cause the same to be

All Goods to be Cleared within Two Years or Sold.



Sold, and the Produce shall be applied, first to the Payment of the Duties, next of Warehouse Rent and other Charges, and the overplus (if any) shall be paid to the Proprietor: Provided always, that it shall be Lawful for the Collector and Controller to grant further Time for any such Goods to remain Warehoused, if they shall see fit so to do.

Further time may be granted.

Bond on Entry for Exportation.

XLII. And be it further enacted, That upon the Entry Outwards of any Goods to be Exported from the Warehouse, the Person entering the same shall give Security by Bond, in Treble the Duties of Importation on the Quantity of such Goods, with Two sufficient Sureties, to be approved by the Collector or Controller, that the same shall be Landed at the Place for which they be Entered Outwards, or be otherwise Accounted for to the satisfaction of the Collector and Controller.

Power to appoint other Ports.

XLIII. And be it further enacted, That it shall be Lawful for His Majesty in Council from Time to Time to appoint any Port in His Majesty's Possessions in *America*, to be a Free Warehousing Port for the purposes of this Act; and every such Port so appointed by His Majesty shall be a Free Warehousing Port under this Act as if appointed by the same, in as full and ample a Manner, in all respects, as any of the Ports hereinbefore mentioned are Free Warehousing Ports appointed by this Act.

Goods from Mauritius liable to the same Duties and Regulations as West India Goods.

XLIV. And whereas it is expedient that all Duties and Regulations, relating to Importation and Exportation into and from His Majesty's Islands in the *West Indies*, should be extended to the Island of *Mauritius*; Be it therefore enacted, That all Goods, Wares, and Merchandize, the Growth, Produce, or Manufacture of the Island of *Mauritius*, and all Goods, Wares, and Merchandize which shall have been imported into the said Island of *Mauritius*, and which shall be imported into any part of the United Kingdom of *Great Britain and Ireland*, or into any Possessions of His Majesty, his Heirs or Successors, shall be liable, upon such Importation into the United Kingdom, or into any such Possessions respectively, to the Payment of the same Duties, and shall be subject to the same Regulations as the like Goods, Wares, and Merchandize, being of the Growth, Produce, or Manufacture of His Majesty's Islands in the *West Indies*, and imported into the said United Kingdom, or into any such Possessions respectively, would on such Importation be liable to the Payment of or would be subject unto; And that upon the Exportation of any Goods, Wares, or Merchandize from the United Kingdom to the Island of *Mauritius*, such Goods, Wares, or Merchandize shall be liable to the same Duties, and shall be entitled to the like Drawbacks respectively, as would or ought by Law to be Charged or Allowed upon the like Goods Exported from the United Kingdom to any of His Majesty's Islands in the *West Indies*; And that all Goods, Wares, and Merchandize which shall be Imported into or Exported from the Island of *Mauritius*, from or to any Place whatever, other than the United Kingdom of *Great Britain and Ireland*, shall, upon such Importation or Exportation respectively, be liable to the Payment of the same Duties, and shall be subject to the same Regulations, so far as any such Regulations can or may be applied, as the like Goods, Wares, and Merchandize would be liable to the Payment of, or would be subject to, upon Importation or Exportation into or from any of His Majesty's Islands

in the *West Indies*; And that all Ships and Vessels whatever, which shall arrive at or depart from the said Island of *Mauritius*, shall be liable to the Payment of the same Duties, and shall be subject to the same Regulations, as such Ships or Vessels would be liable to the Payment of, or would be subject to, if arriving at or departing from any of His Majesty's Islands in the *West Indies*.

XLV. And be it further enacted, That it shall be Lawful for any of the subjects of the King of the *Netherlands*, being *Dutch* Proprietors, in the Colonies of *Demerara* and *Essequibo*, and of *Berbice*, to import in *Dutch* Ships, from the *Netherlands* into the said Colonies, all the usual Articles of Supply for their Estates therein; And also Wine Imported for the purposes of Medicine only, and which shall be liable to a Duty of Ten Shillings *per* Tun, and no more; And in case Seizure be made of any Article so Imported, upon the ground that they are not such Supplies, or are for the purpose of Trade, the proof of the contrary shall lie on the *Dutch* Proprietor Importing the same, and not on the seizing Officer: Provided always, That if sufficient Security by Bond be given in Court to abide the Decision of the Commissioners of Customs upon such Seizure, the Goods so seized shall be admitted to Entry and Released.

*Dutch* Proprietors in *Demerara*, *Essequibo* and *Berbice* may supply their Estates from *Holland*.

XLVI. And be it further enacted, That it shall not be Lawful for such *Dutch* Proprietors to Export the Produce of their Estates to the United Kingdom, or to any of His Majesty's Sugar Colonies in *America*.

*Dutch* Proprietors may not export to United Kingdom or Colonies.

XLVII. And be it further enacted, That all Subjects of His Majesty the King of the *Netherlands* resident in His said Majesty's *European* Dominions, who were at the date of the signature of the Convention between His late Majesty King *George* the Third and the King of the *Netherlands*, Dated the Twelfth of *August* One Thousand Eight Hundred and Fifteen, Proprietors of Estates in the said Colonies, and all Subjects of His said Majesty who may hereafter become possessed of Estates then belonging to *Dutch* Proprietors therein, and all such Proprietors as being then resident in the said Colonies and being Natives of His Majesty's Dominions in the *Netherlands*, may have declared, within Three Months after the Publication of the aforesaid Convention in the said Colonies, that they wish to continue to be considered as such, and all Subjects of His said Majesty the King of the *Netherlands* who may be the Holders of Mortgages of Estates in the said Colonies made prior to the Date of the Convention, and who may under their Mortgage Deeds have the Right of Exporting from the said Colonies to the *Netherlands* the Produce of such Estates, shall be deemed *Dutch* Proprietors under the Provisions of this Act; Provided that where both *Dutch* and *British* Subjects have Mortgages upon the same Property in the said Colonies, the Produce to be Consigned to the different Mortgagees shall be in proportion to the Debts respectively due to them.

What persons shall be deemed *Dutch* Proprietors.

Proprietors of Estates.

Holders of Mortgages.

XLVIII. And be it further enacted, That no *British* Merchant Ship or Vessel shall sail from any place in the Island of *Jamaica* to any place in the Island of *Saint Domingo*, nor from any place in the Island of *Saint Domingo* to any place in the Island of *Jamaica*, under the penalty of the forfeiture of such Ship or Vessel, together with her Cargo: and that no Foreign Ship or Vessel which shall have come from, or shall in the course of her

No Ship to sail from *Jamaica* to *Saint Domingo*, or from *Saint Domingo* to *Jamaica*.



Voyage have touched at any such place in the Island of *Saint Domingo*, shall come into any Port or Harbour in the Island of *Jamaica*; and if any such Ship or Vessel, having come into any such Port or Harbour, shall continue there for Forty-Eight Hours after Notice shall have been given by the Officer of the Customs to depart therefrom, such Ship or Vessel shall be forfeited; and if any person shall be landed in the Island of *Jamaica* from on board any Ship or Vessel which shall have come from or touched at the Island of *Saint Domingo*, except in case of urgent necessity, or unless Licence shall have been given by the Governor of *Jamaica* to land such person, such Ship shall be forfeited, together with her Cargo.

Colonial  
Laws repu-  
gnant to  
any Act of  
Parliament,  
to be null  
and void.

XLIX. And be it further enacted, That all Laws, By-Laws, Usages or Customs at this time, or which hereafter shall be in Practice, or endeavoured or pretended to be in Force or Practice, in any of the *British Possessions in America*, which are in anywise repugnant to this Act, or to any Act of Parliament made or hereafter to be made in the United Kingdom, so far as such Act shall relate to and mention the said Possessions, are and shall be Null and Void to all intents and purposes whatsoever.

Officers  
may board  
Ships hover-  
ing on  
the Coast.

L. And be it further enacted, That it shall be Lawful for the Officers of Customs to go on Board any Ship in any Port in any *British Possession in America*, and to rummage and search all parts of such Ship for prohibited and uncustomed Goods, and also to go on Board any Ship hovering within One League of any of the Coasts thereof, and in either case freely to stay on Board such Ship so long as she shall remain in such Port, or within such Distance; and if any such Ship be bound elsewhere, and shall continue so hovering for the space of Twenty-four Hours after the Master shall have been required to depart, it shall be Lawful for the Officer of the Customs to bring such Ship into Port, and to search and examine her Cargo; and to examine the Master upon Oath touching the Cargo and Voyage, and if there be any Goods on Board prohibited to be imported into such Possession, such Ship and her Cargo shall be forfeited; and if the Master shall not truly answer the Questions which shall be demanded of him in such Examination, he shall forfeit the Sum of One Hundred Pounds.

Forfeitures  
of Vessels,  
Carriages,  
&c. remov-  
ing Goods  
liable to  
Forfeiture.

LI. And be it further enacted, That all Vessels, Boats, and Carriages, and all Cattle made use of in the Removal of any Goods liable to Forfeiture under this Act, shall be forfeited, and every Person who shall assist or be otherwise concerned in the Unshipping, Landing or Removal, or in the Harboursing of such Goods, or into whose Hands or Possession the same shall knowingly come, shall forfeit the Treble Value thereof, or the Penalty of One Hundred Pounds, at the Election of the Officers of the Customs; and the averment in any Information or Libel to be exhibited for the recovery of such Penalty, that the Officer proceeding has elected to sue for the Sum mentioned in the Information, shall be deemed sufficient Proof of such election, without any other or further Evidence of such Fact.

Goods,  
Vessels, &c.  
liable to  
forfeiture,  
may be sei-  
zed by Of-  
cers.

LII. And be it further enacted, That all Goods, and all Ships, Vessels and Boats, and all Carriages, and all Cattle Liable to forfeiture under this Act, shall and may be seized and secured by any Officer of the Customs or Navy, or by any Person employed for that purpose, by or with the concurrence of the Commissioners of His

Majesty's Customs; and every Person who shall in any way Hinder, Oppose, Molest, or Obstruct any Officer of the Customs or Navy, or any Person so employed as aforesaid, in the exercise of his Office, or any Person acting in his aid or assistance, shall for every such Offence forfeit the Sum of Two Hundred Pounds.

LIII. And be it further enacted, That under Authority of a Writ of Assistance granted by the Superior or Supreme Court of Justice, or Court of Vice Admiralty having Jurisdiction in the Place (who are hereby authorised and required to grant such Writ of Assistance, upon application made to them for that purpose by the principal Officers of His Majesty's Customs,) it shall be Lawful for any Officer of the Customs, taking with him a Peace Officer, to enter any Building or other Place in the Day-time, and to Search for and seize and Secure any Goods Liable to forfeiture under this Act; and in case of necessity, to Break Open any Doors and any Chests or other Packages for that purpose; and such Writ of Assistance, when issued, shall be deemed to be in force during the whole of the Reign in which the same shall have been granted, and for Twelve Months from the conclusion of such Reign.

Writ of as-  
sistance to  
Search for  
and Seize  
Goods lia-  
ble to for-  
feiture.

LIV. And be it further enacted, That if any Person shall by Force or Violence assault, Resist, Oppose, Molest, Hinder, or Obstruct any Officer of the Customs or Navy, or other Person employed as aforesaid, in the exercise of his Office, or any Person acting in his aid or assistance, such Person, being thereof Convicted, shall be adjudged a Felon, and shall be proceeded against as such, and punished at the discretion of the Court before whom such Person shall be tried.

Obstruc-  
tion of Of-  
ficers by  
force.

LV. And be it further enacted, That all things which shall be Seized as being Liable to Forfeiture under this Act, shall be taken forthwith and delivered into the Custody of the Collector and Controller of the Customs at the Custom-House next to the Place where the same were seized, who shall secure the same by such means and in such manner as shall be provided and directed by the Commissioners of his Majesty's Customs.

Goods sei-  
zed to be  
secured at  
the next  
Custom-  
House.

LVI. And be it further enacted, That all things which shall have been condemned as forfeited under this Act shall, under the direction of the Collector and Controller or other principal Officer of the Customs at the Port where such Seizures shall have been secured, be Sold by Public Auction to the best Bidder: Provided always, That it shall be Lawful for the Commissioners of the Customs to direct in what manner the Produce of such Sale shall be applied, or in lieu of such Sale, to direct that any of such things shall be destroyed or shall be reserved for the public service.

Goods sei-  
zed to be  
sold by  
Auction.

LVII. And it further enacted, That all Penalties and Forfeitures which may have been heretofore or may be hereafter incurred, shall and may be Prosecuted, Sued for, and Recovered in any Court of Record or of Vice Admiralty, having Jurisdiction in the Colony or Plantation where the Cause of Prosecution arises, and in cases where there shall happen to be no such Courts, then in any Court of Record or of Vice Admiralty having Jurisdiction in some *British Colony or Plantation* near to that where the Cause of Prosecution arises; Provided that in cases where a Seizure is made in any other Colony than that where the Forfeiture accrues,

Jurisdic-  
tion for  
prosecution  
of seizures  
and penal-  
ties.



such Seizure may be prosecuted in any Court of Record or of Vice Admiralty having Jurisdiction either in the Colony or Plantation where the Forfeiture accrues, or in the Colony or Plantation where the Seizure is made, at the Election of the Seizor or Prosecutor; and in cases where there shall happen to be no such Courts in either of the last-mentioned Colonies or Plantations, then in the Court of Record or of Vice Admiralty having Jurisdiction in some *British* Colony or Plantation near to that where the Forfeiture accrues, or to that where the Seizure is made, at the Election of the Seizor or Prosecutor.

Bail may be given for Goods or Ships seized.

LVIII. And be it further enacted, that if any Goods or any Ship or Vessel shall be seized as forfeited under this Act, or any Act here-after to be made, and detained in any of the *British* Possessions in *America*, it shall be Lawful for the Judge or Judges of any Court having Jurisdiction to try and determine such Seizures, with the consent of the Collector and Controller of the Customs, to order the delivery thereof on Security by Bond, with two sufficient Sureties, to be first approved by such Collector and Controller, to answer double the Value of the same in case of Condemnation; and such Bond shall be taken to the use of His Majesty in the name of the Collector of the Customs in whose Custody the Goods or the Ship or Vessel may be lodged, and such Bond shall be delivered and kept in the joint Custody of such Collector and his Controller, and in case the Goods or the Ship or Vessel shall be condemned, the Value thereof shall be Paid into the Hands of such Collector, who shall thereupon, with the consent or privity of his Controller, cancel such Bond.

Suits to be commenced in name of Officers of Customs, &c.

LIX. And be it further enacted, That no suit shall be commenced for the Recovery of any Penalty or Forfeiture under this Act, except in the Name of some Superior Officer of the Customs or Navy, or other Person employed as herein-before mentioned, or of His Majesty's Advocate or Attorney General for the Place where such Suit shall be commenced; and if a Question shall arise, whether any Person is an Officer of the Customs or Navy, or such other Person as aforesaid, *visâ voce* Evidence may be given of such Fact, and shall be deemed Legal and Sufficient Evidence.

Onus probandi to lie on Party.

LX. And be it further enacted, That if any Goods shall be Seized for nonpayment of Duties, or any other Cause of Forfeiture, and any Dispute shall arise whether the Duties have been Paid for the same, or the same have been Lawfully Imported or Lawfully Laden or Exported, the Proof thereof shall lie on the Owner or Claimer of such Goods, and not on the Officer who shall seize and stop the same.

Claim to thing seized to be entered in name of the Owner.

LXI. And be it further enacted, That no Claim to any thing seized under this Act, and returned into any of His Majesty's Courts for Adjudication, shall be admitted, unless such Claim be entered in the Name of the Owner, with his Residence and Occupation, nor unless Oath to the Property in such thing be made by the Owner, or by his Attorney or Agent by whom such Claim shall be entered, to the best of his knowledge and belief; and every Person making a False Oath thereto shall be deemed Guilty of a Misdemeanor, and shall be Liable to the Pains and Penalties to which Persons are Liable for a Misdemeanor.

LXII. And be it further enacted, That no Person shall be admitted to enter a Claim to any thing seized in pursuance of this Act, and prosecuted in any of the *British* Possessions in *America*, until sufficient Security shall have been given, in the Court where such Seizure is prosecuted, in a Penalty not exceeding Sixty Pounds, to answer and pay the Costs occasioned by such Claim; and in Default of giving such Security, such things shall be adjudged to be forfeited, and shall be Condemned.

No Person admitted to enter Claim for any thing seized, unless security first given.

LXIII. And be it further enacted, That no Writ shall be sued out against, nor a Copy of any Process served upon any Officer of the Customs or Navy, or other Person as aforesaid for any thing done in the exercise of his Office, until one Calendar Month after Notice in Writing shall have been delivered to him, or left at his usual place of abode, by the Attorney or Agent to the Party who intends to sue out such Writ or Process; in which Notice shall be clearly and explicitly Contained the Cause of the Action, the Name and Place of Abode of the Person who is to bring such Action, and the Name and Place of Abode of the Attorney or Agent; and no Evidence of the Cause of such Action shall be produced, except of such as shall be contained in such Notice; and no Verdict shall be given for the Plaintiff, unless he shall prove on the Trial that such Notice was given; and in default of such Proof, the Defendant shall receive in such Action a Verdict and Costs.

A month's notice of Action to be given to Officers.

LXIV. And be it further enacted, That every such Action shall be brought within Three Calendar Months after the Cause thereof, and shall be laid and tried in the Place or District where the Facts were Committed, and the Defendant may plead the General Issue, and give the Special Matter in Evidence; and if the Plaintiff shall become non-suited, or shall discontinue the Action, or if upon a Verdict or Demurrer, Judgment shall be given against the Plaintiff, the Defendant shall receive Treble Costs, and have such remedy for the same as any Defendant can have in other Cases where Costs are given by Law.

Actions to be brought within Three Months of the Cause of them.

LXV. And be it further enacted, That in case any Information or Suit shall be brought to Trial on account of any Seizure made under this Act, and a Verdict shall be found for the Claimant thereof, and the Judge or Court before whom the Cause shall have been tried, shall certify on the Record that there was probable cause of Seizure, the Claimant shall not be entitled to any Costs of Suit, nor shall the Person who made such Seizure be liable to any Action, Indictment, or other Suit or Prosecution, on account of such Seizure; and if any Action, Indictment, or other Suit or Prosecution shall be brought to Trial against any Person on account of such Seizure, wherein a Verdict shall be given against the Defendant, the Plaintiff, besides the thing seized, or the Value thereof, shall not be entitled to more than Two Pence Damages, nor to any Costs of Suit, nor shall the Defendant in such Prosecution be Fined more than One Shilling.

Judge may Certify probable cause of Seizure.

LXVI. And be it further enacted, That it shall be Lawful for such Officer, within One Calendar Month after such Notice, to tender Amends to the Party complaining or his Agent, and to plead such Tender in bar to any Action, together with other Pleas; and if the Jury shall find the Amends sufficient, they shall give a

Officers may tender Amends.



Verdict for the Defendant; and in such case, or in case the Plaintiff shall become nonsuited, or shall discontinue his Action, or Judgment shall be given for the Defendant upon demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the General Issue only: Provided always, that it shall be Lawful for such Defendant, by leave of the Court where such Action shall be brought, at any time before Issue joined, to pay Money into Court as in other Actions.

Judge may  
Certify prob-  
able Cause  
of Action.

LXVII. And be it further enacted, That in any such Action, if the Judge or Court before whom such Action shall be Tried, shall Certify upon the Record that Defendant or Defendants in such Action acted upon probable cause, then the Plaintiff in such Action shall not be entitled to more than Two Pence Damages, nor to any Costs of Suit.

Recovery  
and Appli-  
cation of  
Penalties.

LXVIII. And be it further enacted, That all Penalties and Forfeitures recovered in any of the *British Possessions in America* under this Act, shall be Divided, Paid, and Applied as follows; (that is to say,) after Deducting the Charges of Prosecution from the Produce thereof, One Third Part of the Net Produce shall be paid into the Hands of the Collector of His Majesty's Customs at the Port or Place where such Penalties or Forfeitures shall be recovered for the use of His Majesty; One Third Part to the Governor or Commander in Chief of the said Colony or Plantation, and the other Third Part to the Person who shall Seize, Inform, and Sue for the same; excepting such Seizures as shall be made at Sea by the Commanders or Officers of His Majesty's Ships of War, duly authorized to make Seizures, One Moiety of which Seizures and of the Penalties and Forfeitures recovered thereon, first deducting the Charges of Prosecution from the Gross Produce thereof, shall be paid as aforesaid to the Collector of His Majesty's Customs, to and for the use of His Majesty, and the other Moiety to him or them who shall Seize, Inform, and Sue for the same, any Law, Custom or Usage to the contrary notwithstanding; Subject nevertheless to such Distribution of the Produce of the Seizures so made at Sea, as well with regard to the Moiety hereinbefore granted to His Majesty as with regard to the other Moiety given to the Seizor or Prosecutor, as His Majesty shall think fit to order and direct by any Order or Orders of Council, or by any Proclamation or Proclamations to be made for that purpose.

Limitation  
of Suits.

LXIX. And be it further enacted, That all Actions or Suits for the recovery of any of the Penalties or Forfeitures imposed by this Act may be commenced or prosecuted at any time within Three Years after the Offence committed, by reason whereof such Penalty or Forfeiture shall be incurred; any Law, Usage, or Custom to the contrary notwithstanding.

Limitation  
of Appeals.

LXX. And be it further enacted, That no Appeal shall be prosecuted from any Decree or Sentence of any of His Majesty's Courts in *America*, touching any Penalty or Forfeiture imposed by this Act, unless the inhibition shall be applied for and decreed within Twelve Months from the time when such Decree or Sentence was pronounced.

Person au-  
thorized to

LXXI. And be it further enacted, That all Persons authorized to make Seizures under an Act passed in the

Fifth Year of the Reign of His present Majesty, intituled, *An Act to Amend and Consolidate the Laws relating to the Abolition of the Slave Trade*, shall, in making and prosecuting any such Seizures, have the Benefit of all the Provisions granted to Persons authorized to make Seizures under this Act.

make Seizures under 5. G. 4. c. 113. to have the benefit of this Act.

LXXII. And be it further enacted, That all Penalties and Forfeitures created by the said Act passed in the Fifth Year of His present Majesty, whether pecuniary or specific, shall (except in cases specially provided for by the said Act,) go and belong to such Persons as are authorized by that Act to make Seizures, in such Shares, and shall and may be Sued for and Prosecuted, Tried, Recovered, Distributed and Applied in such and the like manner, and by the same ways and means, and subject to the same Rules and Directions, as any Penalties and Forfeitures incurred in *Great Britain* and in the *British Possessions in America* respectively, now go and belong to, and may be Sued, Prosecuted, Tried, Recovered and Distributed respectively in *Great Britain*, or in the said Possessions, under and by Virtue of this Act.

Applica-  
tion of Pe-  
nalties un-  
der 5 G. 4.  
c. 113.

LXXIII. And be it further enacted, That it shall be Lawful for His Majesty, by and with the Advice of his Privy Council, by any Order or Orders in Council to be issued from Time to Time, to give such Directions and make such Regulations touching the Trade, and Commerce to and from any *British Possessions* on or near the Continent of *Europe*, or within the *Mediterranean Sea*, or in *Africa*, or within the Limits of the *East India Company's Charter* (excepting the Possessions of the said Company,) as to His Majesty in Council shall appear most expedient and salutary; and if any Goods shall be Imported or Exported in any manner contrary to any such Order of His Majesty in Council, the same shall be forfeited, together with the Ship importing or exporting the same.

The King  
may regu-  
late the  
Trade of  
Cape of  
Good  
Hope, &c.

LXXIV. And be it further enacted, That it shall be Lawful for the *East India Company* to Trade in and Export from any Place within the Limits of their Charter, any Goods for the purpose of being carried to some of His Majesty's Possessions in *America*, and so to Carry and to Import the same into any of such Possessions; and also to carry return Cargoes from such Possessions to any Place within the Limits of their Charter or to the United Kingdom; and that it shall be Lawful for any of His Majesty's Subjects, with the Licence in Writing granted by or under the Authority of the said Company, to lade in and export from any of the Dominions of the Emperor of *China* any Goods, and to lade in and export from any Place within the Limits of the said Company's Charter any Tea, for the purpose of being carried to some of His Majesty's Possessions in *America*, and also so to carry and to import the same into any of such Possessions.

East India  
Company  
may carry  
Goods from  
India to  
Colonies.

Private per-  
sons may  
trade to  
China or in  
Tea, having  
Licence  
from the  
Company,  
but limited  
to the sup-  
ply of the  
Colonies.

LXXV. And be it further enacted, That it shall be Lawful for any Person, being the Shipper of any Sugar, the Produce of some *British Possession* within the Limits of the *East India Company's Charter*, to be Exported from any Place in such Possession, to go before the Collector or Controller, or other Chief Officer of the Customs at such Place, or if there be no such Officer of the Customs, to go before the Principal Officer of such Place, or the Judge or Commercial Resident of the District, and make and sign an Affidavit before him, that such

Certificate  
of Produc-  
tion of East  
India Sug-  
gar.



Sugar was really and *bonâ fide* the Produce of such *British* Possession, to the best of his Knowledge and Belief; and such Officer, Judge or Resident is hereby authorised and required to administer such Affidavit, and to grant a Certificate thereof, setting forth in such Certificate the Name of the Ship in which the Sugar is to be Exported, and the Destination of the same.

Not to repeal or alter the Act 37 G. 3, c. 117.

LXXXVI. And be it further enacted, That nothing in this Act, or in any other Act passed in this present Session of Parliament, shall extend to repeal or in any way alter or affect an Act passed in the Thirty-seventh Year of the Reign of His late Majesty King George the Third, intituled, *An Act for regulating the Trade to be carried on with the British Possessions in India by the Ships of Nations in Amity with His Majesty*; nor to revoke, alter, or affect any Regulations formed under the Authority of that Act, and which were in force at the time of the commencement of this Act.

Ships built prior to 1st January 1816, deemed British.

LXXXVII. And be it further enacted, That all Ships built at any Place within the Limits of the *East India* Company's Charter, prior to the First of January, One Thousand Eight Hundred and Sixteen, and which then were and have continued ever since to be solely the Property of His Majesty's Subjects, shall be deemed to be *British* Ships for all the purposes of Trade within the said Limits, including the *Cape of Good Hope*; any thing in this Act, or in any other Act or Acts passed in this present Session of Parliament to the contrary notwithstanding.

Ships within certain limits.

Certificate of Production of Cape Wine.

LXXXVIII. And be it further enacted, That it shall be Lawful for the Shipper of any Wine, the Produce of the *Cape of Good Hope*, or of its Dependencies, which is to be exported from thence, to go before the Chief Officer of the Customs, and make and sign an Affidavit before him, that such Wine was really and *bonâ fide* the Produce of the *Cape of Good Hope*, or of its Dependencies; and such Officer is hereby authorised and required to administer such Affidavit, and to grant a Certificate thereof, setting forth in such Certificate the Name of the Ship in which the Wine is to be Exported, and the Destination of the same.

Certificate of Production of Goods in Guernsey, &c.

LXXXIX. And be it further enacted, That it shall be Lawful for any Person who is about to Export from any of the Islands of *Guernsey*, *Jersey*, *Alderney* or *Sark*, to the United Kingdom, or to any of the *British* Possessions in *America*, any Goods of the Growth or Produce of any of those Islands, or any Goods manufactured from Materials which were the Growth or Produce thereof, or of the United Kingdom, to go before any Magistrate of the Island from which the Goods are to be Exported, and make and sign before him an Affidavit that such Goods, describing the same, are of such Growth or Produce, or of such Manufacture, and such Magistrate shall administer and sign such Affidavit; and thereupon the Governor, Lieutenant Governor or Commander in Chief of the Island from which the Goods are to be Exported, shall, upon the delivery to him of such Affidavit, grant a Certificate under his hand of the Proof contained in such Affidavit, stating the Ship in which and the Port to which, in the United Kingdom or in any such Possession, the Goods are to be Exported; and such Certificate shall be the proper Document to be produced at such Ports respectively, in Proof that the Goods

mentioned therein are of the Growth, Produce, or Manufacture of such Islands respectively.

LXXX. And be it further enacted, That it shall not be Lawful to Import into any of the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, any Tea, nor any Tobacco, except from the United Kingdom; and if any Tea or any Tobacco shall be brought into any of the said Islands, from any other Place than from the United Kingdom, or not having been duly Entered and Cleared in the United Kingdom, to be Exported to such Island, the same shall be forfeited.

Tea and Tobacco may not be imported into Guernsey, &c. except from United Kingdom.

LXXXI. And be it further enacted, That no Brandy, Geneva, or other Spirits, except Rum of the *British* Plantations, shall be Imported into or Exported from the Islands of *Jersey*, *Guernsey*, *Alderney* or *Sark*, or either of them, or removed from any one to any other of the said Islands, or Coastwise from any one part to any other part of either of the said Islands, or shall be Shipped, in order to be so removed or carried, or shall be Waterborne, for the purpose of being so Shipped in any Ship, Vessel, or Boat of less burthen than One Hundred Tons, nor in any Cask or Package of less Size or Content than Forty Gallons; nor any Tobacco or Snuff, in any Ship, Vessel, or Boat of less burthen than One Hundred Tons, nor in any Cask or Package containing less than Four Hundred and Fifty Pounds Weight (save and except any such Spirits or loose Tobacco as shall be for the use of the Seamen belonging to and on Board any such Ship, Vessel, or Boat, not exceeding Two Gallons of the former, and Five Pounds Weight of the latter, for each Seaman; and also except such manufactured Tobacco or Snuff as shall have been duly exported as Merchandise from *Great Britain* or *Ireland*), nor shall any Wine be imported into or exported from the said Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or either of them, or carried from any one of the said Islands to any other thereof, or Coastwise, from any one Part to any other Part of the said Islands, or be Shipped, or Waterborne for the purpose of being Shipped in any Ship, Vessel, or Boat of less burthen than Sixty Tons, or in any Cask containing less than Twenty Gallons, or any Package containing less than Three Dozen reputed Quart Bottles, or Six Dozen reputed Pint Bottles, on pain of forfeiture of all such Foreign Brandy, Geneva, or other Spirits, Tobacco, Snuff, or Wine respectively, together with the Casks or Packages containing the same; and also every such Ship, Vessel, or Boat, together with all the Guns, Furniture, and Ammunition, Tackle, and Apparel thereof.

Guernsey, &c. Tonnage of Ships and Package of Goods; viz. Spirits, 100 Tons and 40 gallons.

Tobacco, 100 tons and 450 lbs.

Wine, 60 tons and 20 gallons.

LXXXII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to Subject to Forfeiture or Seizure, under any of the Provisions of this Act, any Boat not exceeding the burthen of Ten Tons, for having on Board at any one time any Foreign Spirits of the Quantity of Ten Gallons, or under, in Casks or Packages of less size or content than Forty Gallons; or any Tobacco, Snuff, or Tea, not exceeding Fifty Pounds Weight of each, for the supply of the said Island of *Sark*, such Boat having a Licence from the proper Officer of Customs at either of the Islands of *Guernsey* or *Jersey*, and for the purpose of being employed in carrying Commodities for the supply of the said Island of *Sark*, which Licence, such Officer of Customs is hereby required to grant, without taking any Fee or Reward for the same: Provided al-

Not to extend to vessels of ten tons supplying Island of Sark having Licence so to do.



ways, that every such Boat having on Board at any one time, any greater Quantity of Spirits than Ten Gallons, or any greater Quantity of Tobacco or Snuff than Fifty Pounds Weight of each of the said Articles, unless such greater Quantity of Spirits, Tobacco, or Snuff, shall be in Casks or Packages of the Size, Content, or Weight, herein-before required, or having on Board at any one time, any greater quantity of Tea than Fifty Pounds Weight, shall be forfeited.

Wine may be imported into Guernsey, &c. in cases, &c.

On exportation of Wine in bottles, Bond to be given.

LXXXIII. Provided also, and be it further enacted, That nothing herein contained, shall extend or be construed to extend to prevent the Importation into, or Exportation from the said Islands of *Guernsey, Jersey, Alderney, or Sark*, or either of them, of any Wine in Bottles, Shipped in Cases or Casks only, each containing at least Three Dozen reputed Quart Bottles, or Six Dozen reputed Pint Bottles: Provided always, that before any such Wine in Bottles, shall be Shipped for Exportation, to or from *Great Britain or Ireland*, the Master or other Person having the Charge or Command of the Ship, Vessel, or Boat, in or on board of which such Wine shall be so intended to be Exported, together with one other sufficient Surety, shall give Bond in the Penalty of Forty Shillings per Gallon, that the Wine so Shipped, shall (the danger of the Seas and Enemies excepted) be duly Entered and Landed at the Port or Place in *Great Britain or Ireland*, to or for which the same shall be declared at the time of giving such Bond, (which Bond and Declaration the proper Officer of His Majesty's Customs is hereby authorized and empowered to take); and such Officer is required to furnish the Master, or other Person having the Charge or Command of the Ship, Vessel or Boat, in which any such Wine may be, with a Certificate specifying the number of such Packages as aforesaid, and the Quantity of Wine contained in each, the date of the Bond, and the name of the Port or Place, to or for which the same shall be so declared;

and such Bond so given as aforesaid, shall not be delivered up or cancelled until a Certificate under the hand of the proper Officer of the Customs in *Great Britain or Ireland*, of the due Landing of the Wine mentioned therein, shall be produced to and left with the Officer, taking the said Bond within three months after the date of such Bond.

LXXXIV. And be it further enacted, That every person who shall be found or discovered to have been on Board any Vessel or Boat liable to Forfeiture under any Act relating to the Revenue of Customs, for being found within one league of the Islands of *Guernsey, Jersey, Alderney or Sark*, having on Board or in any manner attached or affixed thereto, or having had on Board, or in any manner attached or affixed thereto, or conveying or having conveyed in any manner, such Goods, or other things, as Subject such Vessel or Boat to Forfeiture, or who shall be found or discovered to have been on Board any Vessel or Boat, from which any part of the Cargo shall been thrown Overboard, during Chace, or Staved or Destroyed, shall Forfeit the Sum of One Hundred Pounds.

LXXXV. And be it further enacted, That it shall not be Lawful for any Person to Re-export, from any of His Majesty's Possessions Abroad, to any Foreign Place, any Coals the Produce of the United Kingdom; and that no such Coals shall be Shipped at any of such Possessions, to be Exported to any British Place, until the Exporter or the Master of the Exporting Vessel shall have given Bond, with one sufficient Surety, in double the Value of the Coals, that such Coals shall not be Landed at any Foreign Place.

LXXXVI. And be it further enacted, That this Act may be Amended, Altered, or Repealed by any Act, to be Passed in the Present Session of Parliament.

Penalty on persons found on board vessels liable to forfeiture within one league of Guernsey, &c.

British Coals not to be re-exported from British possessions.

Act may be altered this Session.

## Anno Sexto Georgii IV. Regis.

### CAP. CIX.

#### *An Act for the Encouragement of British Shipping and Navigation.*

[5th July 1825.]

6 G. 4. c. 105. **W**HEREAS an Act was Passed in the Present Session of Parliament, intituled, *An Act to Repeal the several Laws, relating to the Customs*, in which it is declared, that the Laws of the Customs have become intricate by reason of the great Number of Acts relating thereto, which have been Passed through a long Series of Years; and that it is therefore highly expedient for the Interest of Commerce and the Ends of Justice, and also for affording Convenience and Facility to all Persons who may be Subject to the Operation of those Laws, or who may be authorized to act in the Execution thereof, that all the Statutes now in force, relating to the Customs, should be Repealed, and that the Purposes for which they have from Time to Time been made should be secured by New Enactments, Exhibiting more Perspicuously and Compendiously the Various Provisions, contained in them: And whereas, the Laws relating to the Encouragement of *British* Navigation will thereby be Repealed, and it is expedient to make Provisions in lieu thereof, for the due Encouragement of

*British* Shipping and *British* Seamen, after such Repeal shall have Effect; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this Present Parliament Assembled, and by the Authority of the same, That from and after the Fifth Day of *January*, One Thousand Eight Hundred and Twenty-Six, this Act shall come into, and be, and continue in full Force and Operation, and shall constitute and be the Law of Navigation of the *British* Empire.

Commencement of Act.

II. And be it further enacted, That the several Sorts of Goods herein-after enumerated, being the Produce of *Europe*, (that is to say,) Masts, Timber, Boards, Salt, Pitch, Tar, Tallow, Rosin, Hemp, Flax, Currants, Raisins, Figs, Prunes, Olive Oil, Corn or Grain, Pot Ashes, Wine, Sugar, Vinegar, Brandy and Tobacco, shall not be Imported into the United Kingdom, to be used therein, except in *British* Ships, or the Ships of

European enumerated Goods for Home use.

In British Ships or Ships of Place, or



Ships of  
Produce.

the Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are Imported.

Goods, the  
Produce of  
Asia, Africa,  
or America may  
not be imported  
from Europe  
except in certain  
Cases.

III. And be it further enacted, That Goods the Produce of *Asia, Africa* or *America* shall not be Imported from *Europe* into the United Kingdom, to be used therein, except the Goods hereinafter mentioned; (that is to say,) Goods, the Produce of Places in *Asia* or *Africa*, within the Straits of *Gibraltar*, or of the Dominions of the Emperor of *Morocco*, Imported from Places in *Europe* within the Straits of *Gibraltar*:

Goods, the Produce of Places within the Limits of the *East India Company's* Charter, which (having been Imported into *Gibraltar* or *Malta*, in *British* Ships,) may be Imported from *Gibraltar* or *Malta*:

Goods taken by way of Reprisal by *British* Ships: Bullion, Diamonds, Pearls, Rubies, Emeralds, and other Jewels or Precious Stones.

Goods, the  
Produce of  
Asia, Africa,  
or America, may  
not be imported  
in Foreign  
Ships except in  
certain Cases.

IV. And it further enacted, That Goods, the Produce of *Asia, Africa*, or *America*, shall not be Imported into the United Kingdom, to be used therein, in Foreign Ships, unless they be the Ships of the Country in *Asia, Africa*, or *America*, of which the Goods are the Produce and from which they are Imported, except the Goods herein-after mentioned; (that is to say):

Goods, the Produce of the Dominions of the Grand Seigneur, in *Asia* or *Africa*, which may be Imported from his Dominions in *Europe*, in Ships of his Dominions:

Raw Silk and Mohair Yarn, the Produce of *Asia*, which may be Imported from the Dominions of the Grand Seigneur in the *Levant* Seas, in Ships of his Dominions:

Bullion.

Goods to be  
deemed  
Produce of  
the Country  
where man-  
ufactured.

V. Provided always, and be it further enacted, That all Manufactured Goods shall be deemed to be the Produce of the Country of which they are the Manufacture.

From  
Guernsey,  
&c. in  
British  
Ships.

VI. And be it further enacted, That no Goods shall be Imported into the United Kingdom from the Islands of *Guernsey, Jersey, Alderney, Sark*, or *Man*, except in *British* Ships.

Exports to  
Asia, &c.  
and to  
Guernsey,  
&c. in  
British  
Ships.

VII. And be it further enacted, That no Goods shall be Exported from the United Kingdom to any *British* Possession in *Asia, Africa*, or *America*, nor to the Islands of *Guernsey, Jersey, Alderney, Sark*, or *Man*, except in *British* Ships.

Coastwise,  
British  
Ships.

VIII. And be it further enacted, That no Goods shall be carried Coastwise, from one part of the United Kingdom to another, except in *British* Ships.

Between  
Guernsey,  
Jersey, &c.  
in British  
Ships.

IX. And be it further enacted, That no Goods shall be carried from any of the Islands of *Guernsey, Jersey, Alderney, Sark*, or *Man*, to any other of such Islands; nor from one part of any such Islands to another part of the same Island, except in *British* Ships.

Between  
British Possessions  
in  
Asia, Africa,  
or America,  
in British  
Ships.

X. And be it further enacted, That no Goods shall be Carried from any *British* Possession in *Asia, Africa*, or *America*, to any other such Possessions, nor from one part of any such Possessions to another part of the same, except in *British* Ships.

Between

XI. And be it further enacted, That no Goods shall

be Imported into any *British* Possession in *Asia, Africa* or *America*, in any Foreign Ships unless they be Ships of the Country of which the Goods are the Produce, and from which the Goods are Imported.

XII. And be it further enacted, That no Ship shall be admitted to be a *British* Ship unless duly Registered and Navigated as such; And that every *British* Registered Ship (so long as the Registry of such Ship shall be in force, or the Certificate of such Registry retained for the use of such Ship) shall be navigated during the whole of every Voyage (whether with a Cargo or in Ballast,) in every Part of the World by a Master who is a *British* Subject, and by a Crew, whereof Three Fourths at least are *British* Seamen; and if such Ship be employed in a Coasting Voyage from one part of the United Kingdom to another, or in a Voyage between the United Kingdom and the Islands of *Guernsey, Jersey, Alderney, Sark*, or *Man*, or from one of the said Islands to another of them, or from one part of either of them to another of the same, or be employed in Fishing on the Coasts of the United Kingdom or of any of the said Islands, then the whole of the Crew shall be *British* Seamen.

XIII. Provided always, and be it further enacted, That all *British*-built Boats or Vessels under Fifteen Tons Burthen, wholly Owned and Navigated by *British* Subjects, although not Registered as *British* Ships, shall be admitted to be *British* Vessels, in all Navigation in the Rivers and upon the Coasts of the United Kingdom, or of the *British* Possessions Abroad, and not proceeding over Sea, except within the Limits of the respective Colonial Governments within which the Managing Owners of such Vessels respectively reside; and that all *British*-built Boats or Vessels wholly Owned and Navigated by *British* Subjects, not exceeding the Burthen of Thirty Tons, and not having a whole or a fixed Deck, and being employed solely in Fishing on the Banks and Shores of *Newfoundland*, and of the Parts adjacent, or on the Banks and Shores of the Provinces of *Canada, Nova Scotia*, or *New Brunswick*, adjacent to the Gulf of *St. Lawrence*, or on the North of *Cape Canso*, or of the Islands within the same, or in trading Coastwise within the said Limits, shall be admitted to be *British* Boats or Vessels, although not Registered, so long as such Boats or Vessels shall be solely so employed.

XIV. Provided also, and be it further enacted, That all Ships built in the *British* Settlements at *Honduras*, and Owned and Navigated as *British* Ships, shall be entitled to the Privileges of *British* Registered Ships in all direct Trade between the United Kingdom and the said Settlements; Provided the Master shall produce a Certificate under the Hand of the Superintendent of those Settlements, that satisfactory Proof has been made before him that such Ship (describing the same) was built in the said Settlements, and is wholly Owned by *British* Subjects; Provided also, that the Time of the Clearance of such Ship from the said Settlements for every Voyage shall be Endorsed upon such Certificate by such Superintendent.

XV. And be it further enacted, That no Ship shall be admitted to be a Ship of any particular Country, unless she be of the built of such Country; or have been made Prize of War to such Country; or have been forfeited to such Country under any Law of the same, made for the Prevention of the Slave Trade, and Condemned as

British Possessions in  
America, and other  
Places in  
America.

No Ship  
British, unless Registered, and Navigated as such: To be Navigated by British Master and Three-fourths British Seamen; If Coasting Trade, or Guernsey, &c. or British Coasts Fisheries, all to be British Seamen.

All Vessels under Fifteen Tons Burthen admitted in Navigation upon Rivers, &c.

Honduras Ships to be as British in Trade with the United Kingdom.

Ships of any Foreign Country to be of the Built of, or Prize to such Country.



try; or British built, and navigated by Master and Seamen (Three-fourths) of the Country, and owned by Subjects of the Country.

such Prize or Forfeiture by a competent Court of such Country; or be *British* built (not having been a Prize of War from *British* Subjects to any other Foreign Country;) nor unless she be Navigated by a Master who is a Subject of such Foreign Country, and by a Crew of whom Three-fourths at least are Subjects of such Country: nor unless she be wholly Owned by Subjects of such Country usually residing therein, or under the Dominion thereof; Provided always, that the Country of every Ship shall be deemed to include all Places which are under the same Dominion as the Place to which such Ship belongs.

Master and Seamen not British, unless natural-born or naturalized or Denizens, or Subjects by Conquest or Cession, or served in H. M. Ships of War.

XVI. And be it further enacted, That no Person shall be qualified to be a Master of a *British* Ship, or to be a *British* Seaman, within the Meaning of this Act, except the Natural-born Subjects of His Majesty, or Persons naturalized by any Act of Parliament, or made Denizens by Letters of Denization; or except Persons who have become *British* Subjects by Virtue of Conquest or Cession of some newly acquired Country, and who shall have taken the Oath of Allegiance to His Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly acquired Country came into His Majesty's Possession; or Persons who shall have served on board any of His Majesty's Ships of War in Time of War for the Space of Three Years: Provided always, that the Natives of Places within the Limits of the *East India* Company's Charter, although under *British* Dominion, shall not, upon the Ground of being such Natives, be deemed to be *British* Seamen: Provided always, that every Ship (except Ships required to be wholly Navigated by *British* Seamen) which shall be Navigated by One *British* Seaman, if a *British* Ship, or One Seaman of such Ship, if a Foreign Ship, for every Twenty Tons of the Burthen of the Country of such Ship, shall be deemed to be duly Navigated, although the Number of other Seamen shall exceed One-fourth of the whole Crew.

Foreigners having served Two Years on board H. M. S. during War, to be considered *British* Seamen.

XVII. Provided always, and be it further enacted, That it shall be Lawful for His Majesty, by His Royal Proclamation during War, to declare that Foreigners, having served Two Years on board any of His Majesty's Ships of War in Time of such War, shall be *British* Seamen within the Meaning of this Act.

British Ship not to depart *British* Port without *British* Crew, except *British* Negroes in *America* or *Lascars* in *India*.

XVIII. And be it further enacted, That no *British* Registered Ship shall be suffered to depart any Port in the United Kingdom, or any *British* Possession in any part of the World (whether with a Cargo or in Ballast,) unless duly Navigated: Provided always, that any *British* Ships, trading between Places in *America*, may be Navigated by *British* Negroes; And that Ships Trading Eastward of the *Cape of Good Hope*, within the Limits of the *East India* Company's Charter, may be Navigated by *Lascars*, or other Natives of Countries within those Limits.

XIX. And be it further enacted, That if any *British* Registered Ship shall at any Time have, as part of the Crew in any part of the World, any Foreign Seaman not allowed by Law, the Master or Owners of such Ship shall for every such foreign Seaman forfeit the Sum of Ten Pounds: Provided always, that if a due Proportion of *British* Seamen cannot be procured in any Foreign Port, or in any Place within the Limits of the *East India* Company's Charter, for the Navigation of any *British* Ship; or if such Proportion be destroyed during the Voyage by any unavoidable Circumstance, and the Master of such Ship shall produce a Certificate of such Facts under the Hand of any *British* Consul, or of Two known *British* Merchants, if there be no Consul at the Place where such Facts can be ascertained, or from the *British* Governor of any Place within the Limits of the *East India* Company's Charter; or in the want of such Certificate, shall make Proof of the Truth of such Facts to the Satisfaction of the Collector or Controller of the Customs of any *British* Port, or of any Person authorized in any other part of the World to inquire into the Navigation of such Ship, the same shall be deemed to be duly Navigated.

If Excess of Foreign Seamen, Penalty 10*l.* for each; except *British* Seamen cannot be procured in Foreign Ports, or in *India*; or Proportion destroyed unavoidably; and Certificate produced or Proof made.

XX. And be it further enacted, That if His Majesty shall, at any Time, by His Royal Proclamation, declare that the Proportion of *British* Seamen necessary to the due Navigation of *British* Ships shall be less than the Proportion required by this Act, every *British* Ship Navigated with the Proportion of *British* Seamen required by such Proclamation shall be deemed to be duly Navigated, so long as such Proclamation shall remain in force.

Proportion of Seamen may be altered by Proclamation.

XXI. Provided always, and be it further enacted, That Goods of any Sort or the Produce of any Place, not otherwise prohibited than by the Law of Navigation herein-before contained, may be imported into the United Kingdom from any Place in a *British* Ship, and from any Place not being a *British* Possession in a Foreign Ship of any Country, and however Navigated, to be Warehoused for Exportation only, under the Provisions of any Law in force for the Time being, made for the Warehousing of Goods without Payment of Duty upon the First Entry thereof.

Goods prohibited only by Navigation Law may be imported for Exportation.

XXII. And be it further enacted, That if any Goods be imported, exported, or carried Coastwise, contrary to the Law of Navigation herein-before contained, all such Goods shall be forfeited, and the Master of such Ship shall forfeit the Sum of One Hundred Pounds.

Goods imported, &c. contrary to Law of Navigation to be forfeited.

XXIII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act may be altered this Session.



# APPENDIX.

Anno Tertio Georgii IV. Regis.

CAP. CXIX.

*An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other Purposes relating to the said Provinces.* [5th August 1822.]

**W**HEREAS it is expedient to make further Regulation respecting the Trade of the Province of *Upper and Lower Canada in North America*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall be lawful to import by Land or Inland Navigation in any *British or American Vessel* or Vessels, Boat or Boats, Carriage or Carriages, the Goods, Wares, and Commodities the Growth, Produce, or Manufacture of the United States of *America*, enumerated in the Schedule or Table annexed to this Act marked (A.), from any Port or Place in the United States of *America*, into any Port or Place of Entry at which a Custom House now is or hereafter may be lawfully established, in either of the Provinces of *Upper and Lower Canada*: Provided always nevertheless, that it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of either of the said Provinces respectively, by and with the Advice and Consent of the Executive Council thereof for the Time being, from Time to Time to diminish or increase by Proclamation, the Number of Ports or Places which are or hereafter may be appointed in such Province for the Entry of Goods, Wares, and Commodities imported from the United States of *America*.

**II.** And be it further enacted, That from and after the passing of this Act, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, for and upon such of the Goods, Wares, and Commodities which shall be so imported, as are enumerated in the Schedule or Table annexed to this Act marked (B.), the several Duties of Customs as the same are respectively inserted or described and set forth in Figures in the said Schedule.

**III.** Provided always, and be it further enacted, That if upon the Importation of any Article charged with Duty by this Act, the said Article shall also be liable to the Payment of Duty under the Authority of any Colonial Law, equal to or exceeding in Amount the Duty charged by this Act, then and in such Case the Duty charged upon such Article by this Act shall not be demanded or paid upon the Importation of such Article: Provided also, that if the Duty payable under such Colonial Law shall be less in Amount than the Duty pay-

able by this Act, then and in such case the Difference only between the Amount of the Duty payable by this Act, and the Duty payable under the Authority of such Colonial Laws, shall be deemed to be the Duty payable by this Act; and the same shall be collected and paid in such and the like Manner, and appropriated and applied to such and the like Uses, as the Duties specified in the said Schedule annexed to this Act marked (B.) are directed to be collected, paid, appropriated, and applied.

**IV.** And be it further enacted, That the same Tonnage Duties shall be paid upon all *American Vessels* or Boats, importing any Goods into either of the said Provinces, as are or may be for the Time being payable in the United States of *America*, on *British Vessels* or Boats entering the Harbours of the State from whence such Goods shall have been imported.

**V.** And be it further enacted, That in all Cases in which the Duties imposed by this Act upon the Importation of Articles into the said Provinces, or either of them, are charged, not according to the Weight, Gauge, or Measure, but according to the Value thereof, such Value shall be ascertained in the Mode prescribed by an Act passed in this present Session of Parliament, intitled *An Act to regulate the Trade between His Majesty's Possessions in America and the West Indies, and other Places in America and the West Indies*.

**VI.** And be it further enacted, That if the Importer or Proprietor of such Articles shall refuse to pay the Duties hereby imposed thereon, it shall and may be lawful for the Collector or other Chief Officer of the Customs where such Articles shall be imported, and he is hereby respectively required, to take and secure the same, with the Casks or other Package thereof, and to cause the same to be publicly sold within the Space of Twenty Days at the most after such Refusal made, and at such Time and Place as such Officer shall, by Four or more Days public Notice, appoint for that purpose; which Articles shall be sold to the highest Bidder; and the Money arising from the Sale thereof shall be applied to the Payment of the said Duties, together with the Charges which shall have been occasioned by the said Sale, and the Overplus (if any) shall be paid to such Importer, or any other Person authorized to receive the same.

**VII.** And whereas a certain Act made and passed in

Duty: If Duty be less, the difference only shall be paid.

Tonnage Duties for *American Vessels* to be the same as United States impose on *British Vessels*.

Value of Goods to be ascertained in the Mode prescribed by 3 G. 4. c. 44.

If payment of Duties be refused, Collector may secure the Goods, and sell the same within 20 Days.

After Payment of Duty.

Overplus to be paid to the Importer.

Goods of the Produce of the United States enumerated in Schedule (A.) may be imported into either of the Provinces of *Upper and Lower Canada*.

Power to the Governor to diminish or increase the Ports of Entry.

Duties to be paid on the Goods enumerated in Schedule (B.)

Where any Article is liable to a Colonial Duty equal to the one imposed, such Article shall not be charged with the



28 Geo. 3. the Twenty-eight Year of the Reign of His late Majesty King George the Third, intituled *An act to allow the Importation of Rum and other Spirits from His Majesty's Colonies or Plantations in the West Indies into the Province of Quebec, without Payment of Duty, under certain Conditions and Restrictions*, has been repealed during the present Session of Parliament: And whereas Doubts may be entertained whether a certain other Act, passed in the Forty-ninth Year of His said late Majesty's Reign, intituled *An Act to allow the Importation of Rum and other Spirits from the Island of Bermuda into the Province of Lower Canada, without Payment of Duty, on the same Terms and Conditions as such Importation may be made directly from His Majesty's Sugar Colonies in the West Indies*, might not still remain in force, notwithstanding the Repeal of the said first-mentioned Act; be it therefore enacted and declared, That the said last-mentioned Act shall be and the same is hereby repealed.

49 G. 3. c. 16. allowing the Importation of Rum, repealed.

Additional Duty of 6d. per Gallon on West India Rum imported into Lower Canada from this Kingdom, &c.

VIII. And whereas it is expedient to afford Protection to the Trade between the said Colonies and Plantations and the Province of *Lower Canada*, by imposing the same Duty upon Rum or other Spirits, the Produce or Manufacture of the said Colonies, imported from *Great Britain* into the said Province, as is now payable upon the same Articles when imported from His Majesty's said Colonies or Plantations in the *West Indies*; be it further enacted, That from and after the passing of this Act, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, for and upon every Gallon of Rum or other Spirits, the Produce or Manufacture of any of His Majesty's Islands, Colonies or Plantations in the *West Indies*, which shall be imported or brought into any Port of the said Province of *Lower Canada* from *Great Britain* or *Ireland*, or any of the *British* Dominions in *Europe*, the Sum of Sixpence, over and above all other Duties now or hereafter to be made payable thereon in the said Province.

Value of Duties, and application of the Money arising thereby.

IX And be it further enacted, That the Rates and Duties chargeable by this Act shall be deemed, and are hereby declared to be Sterling Money of *Great Britain*, and shall be collected, recovered, and paid to the Amount of the Value which such nominal Sums bear in *Great Britain*; and that such Sums may be received and taken according to the Proportion and Value of Five Shillings and Sixpence to the Ounce of Silver; and that the said Duties herein-before granted shall be received, levied, collected, paid, and recovered in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures as any other Duties payable to His Majesty upon Goods imported into the said Provinces of *Upper* and *Lower Canada*, or into either of them respectively, are or shall be raised, levied, collected, paid, and recovered by any Act or Acts of Parliament, as fully and effectually to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties, and Forfeitures relating thereto were particularly repeated and again enacted in the Body of this Act; and that all the Monies which shall arise by the said Duties, (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same) shall be paid by the Collector of His Majesty's Customs, into the Hands of His Majesty's Receiver General in the said Provinces respectively for the Time being, and shall be applied to and for the Use of the Provinces of *Upper* and *Lower Canada* respect-

ively, in such Manner only as shall be directed by any Law or Laws which may be made by His Majesty, His Heirs or Successors, by and with the Advice and Consent of the Legislative Council and Assembly of each of the said Provinces respectively.

X. And be it further enacted, That it shall be lawful to export in any *British* or *American* Vessel or Vessels, Boat or Boats, Carriage or Carriages, from any of the Ports or Places of Entry now or hereafter to be established in the said Provinces, to any Port or Place in the United States of *America*, any Article of the Growth, Produce, or Manufacture of any of His Majesty's Dominions, or any other Article legally imported into the said Provinces: Provided always, that nothing herein contained shall be construed to permit or allow the Exportation of any Arms or Naval Stores, unless a Licence shall have been obtained for that purpose from His Majesty's Secretary of State; and in case any such Articles shall be shipped or waterborne for the purpose of being exported contrary to this Act, the same shall be forfeited, and shall and may be seized and prosecuted as herein-after directed.

Goods, the Produce of His Majesty's Dominions may be exported to any Port in the United States; but no Arms or Naval Stores to be exported without a Licence.

XI. And be it further enacted, That nothing in this Act contained shall be construed to interfere with or repeal, as respects the Inland Navigation of the said Provinces, any of the Provisions contained in a certain Act passed in the Seventh and Eighth Years of the Reign of King *William*, intituled *An Act for preventing Frauds, and regulating Abuses in the Plantation Trade*; except in so far as the same are altered or repealed by this Act.

Not to affect Inland Navigation of the Provinces.

7 & 8, W. 3. c. 22.

XII. And be it further enacted, That all Penalties and Forfeitures incurred in either of the said Provinces under this Act (except where it is otherwise provided,) shall and may be sued for and prosecuted in any Court having competent Jurisdiction within such Province respectively; and the same shall and may be recovered, divided, and accounted for in the same Manner and Form, and by the same Rules and Regulations in all respects, as other Penalties and Forfeitures for Offences against the Laws relating to the Customs and Trade of the said Provinces respectively, shall or may by any Act or Acts of the Legislatures of such Provinces be directed to be sued for, prosecuted, recovered, divided, and accounted for within the same respectively.

Recovery and Application of Penalties.

XIII. And whereas it is expedient to encourage the Trade between *Newfoundland*, *Nova Scotia*, *New Brunswick*, and *Prince Edward's Island*, by enabling the Merchants and Traders of *Newfoundland* to export from thence into *Canada*, Rum and other Spirits, the Produce of the *British West India* Islands, or any of His Majesty's Colonies on the Continent of *South America*, free of any Duty which may have been imposed upon its Importation from any of the Places last aforesaid, and for which Purpose to allow, upon the Export of such Rum or other Spirits, a Drawback of the full Duties paid upon the Importation thereof; be it therefore enacted, That from and after the passing of this Act, there shall be paid and allowed, upon the Exportation from any or either of the said Colonies of *Newfoundland*, *Nova Scotia*, *New Brunswick*, or *Prince Edward's Island* into *Canada*, of Rum or other Spirits, being the Produce of the *British West India* Islands, or any of His Majesty's Colonies on the Continent of *South Ame-*

Drawback on the Exportation of Rum and Spirits, from *Newfoundland*, &c. to *Canada*.



*rica*, a Drawback of the full Duties of Customs which may have been paid upon the Importation thereof from any of the places last aforesaid, into any or either of the said Colonies of *Newfoundland*, *Nova Scotia*, *New Brunswick*, or *Prince Edward's Island*, upon a Certificate being produced, under the Hands and Seals of the Collector and Controller of His Majesty's Customs at *Quebec*, certifying that the said Rum or other Spirits have been duly landed in *Canada*.

Conditions on which the Drawback shall be paid.

XIV. And be it further enacted, That no Entry shall pass, nor any Drawback be paid or allowed, upon the Exportation of Rum or other Spirits from any or either of the said Colonies of *Newfoundland*, *Nova Scotia*, *New Brunswick*, or *Prince Edward's Island*, into *Canada*, unless such Entry be made in the Name of the real Owner or Owners, Proprietor or Proprietors of the said Goods; and that before such Owner or Owners, Proprietor or Proprietors, shall receive the said Drawback so allowed as aforesaid, One or more of them shall verify upon Oath, upon the Debenture to be made out for the Payment of such Drawback, that he or they is or are the real Owner or Owners of the said Goods; nor unless Proof on Oath shall be made to the Satisfaction of the Collector and Controller of His Majesty's Customs at the Port from whence the said Goods shall be so imported into *Canada*, that the full Duties due upon the Importation of the said Goods at the said Port had been paid and discharged: Provided always, that in case where the Owners of the said Goods are resident in any other part of the *British* Dominions, it shall be lawful for their known and established Agents in the Colonies from whence the said Goods shall be so imported into *Canada*, to take the necessary Oaths on behalf of the said Owners.

Drawback how payable.

XV. And be it further enacted, That the said Drawback shall be paid by the Collector of His Majesty's Customs at the Port from whence the said Goods shall be so imported into *Canada*, with the Consent of the Controller there, out of any Monies in his Hands arising from the Duties of Customs.

Rum to be exported from Newfoundland within One Year after First Importation.

XVI. And be it further enacted, That no Drawback shall be paid and allowed as aforesaid, unless the said Rum or other Spirits shall be duly entered for Exportation with the proper Officers of the Customs, and actually shipped on board the Ship or Vessel in which the said Goods are intended to be exported, within the space of One Year from the Time such Rum or other Spirits were originally imported into the Colony from whence it is intended to export them to *Canada*, nor unless such Drawback shall be claimed within One Year after the Goods are so shipped for Exportation.

Regulations as to settling the proportions of Duties and Drawbacks between the Provinces, by Arbitrators.

XVII. And whereas since the Division of the Province of *Quebec* into the Provinces of *Lower* and *Upper Canada*, divers Regulations have from Time to Time been made, by Agreements concluded under the Authority of Acts passed by the Legislature of the said Two Provinces respectively, concerning the imposing of Duties upon Articles imported into the Province of *Lower Canada*, and the Payment of Drawbacks of such Duties to the Province of *Upper Canada* on account of the Proportion of Goods so imported into *Lower Canada*, and passing from thence into the said Province of *Upper Canada*, and consumed therein; the last of which Agreements expired on the First Day of *July* One Thou-

sand Eight Hundred and Nineteen: And whereas it appears by the Report of the Commissioners last appointed for the Purposes aforesaid, that the Province of *Upper Canada* claims certain Arrearages from the Province of *Lower Canada*, on account of such Drawbacks, which Claims are not admitted on the part of the Province of *Lower Canada*; and it further appears by the Report of the said Commissioners, appointed on behalf of both Provinces for the purpose aforesaid, that they have failed to establish any Regulation for the Period beyond the First Day of *July* One Thousand Eight Hundred and Nineteen, by reason that they could not agree upon the Proportion of Duties to be paid to *Upper Canada* by way of Drawbacks: For Remedy of the Inconvenience occasioned by the Suspension of the said Agreement, and for the satisfactory Investigation and Adjustment of the said Claims, be it enacted, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of each of the said Provinces of *Upper* and *Lower Canada*, so soon as conveniently may be after the passing of this Act, to appoint, by Commission under the Great Seal of his respective Province, One Arbitrator; and that the said Arbitrators so appointed shall have Power, by an Instrument under their Hands and Seals, to appoint a Third Arbitrator; and in case of their not agreeing in such Appointment within One Month from the Date of the Appointment of the Arbitrators so directed to be made on the part of the respective Provinces, or the last thereof if the said Appointments shall not be made on the same Day, His Majesty, His Heirs or Successors, shall have Power, by an Instrument under His Sign Manual, to appoint such Third Arbitrator, who (if appointed in manner last mentioned) shall not be an Inhabitant of either of the said Provinces; and that the Three Arbitrators so appointed as aforesaid, shall have Power to hear and determine all Claims of the Province of *Upper Canada* upon the Province of *Lower Canada*, on account of Drawbacks or Proportion of Duties under Agreements made and ratified by the Authority of the Legislatures of the said Two Provinces, according to the fair Understanding and Construction of the said Agreements; and also to hear any Claim which may be advanced on the part of the Province of *Upper Canada*, to a Proportion of Duties heretofore levied in *Lower Canada* under *British* Acts of Parliament, the Division of which Duties shall not have been embraced within the Terms of any Provincial Agreement, and to report the Particulars of any such Claim, with the Evidence thereupon, to the Lords Commissioners of His Majesty's Treasury for the time being; and if it shall appear to the Commissioners of His Majesty's Treasury that any Sum is justly due from the Province of *Lower Canada* to the Province of *Upper Canada* on account of such last-mentioned Claim, they shall signify the same, together with the Amount, to the Governor or Person administering the Government of the Province of *Lower Canada* for the time being, who shall thereupon issue his Warrant upon the Receiver General of *Lower Canada*, to pay such Amount to the Receiver General of *Upper Canada*, in full Discharge of any such Claims.

XVIII. And be it further enacted, That the said Arbitrators shall have Power to send for and examine such Persons, Papers, and Records as they shall judge necessary for their information in the Matters referred to them; and that if any Person or Persons shall refuse or neglect to attend the said Arbitrators, or to produce

Power of Arbitrators to send for Persons and Records.



Penalty on  
Persons re-  
fusing, 50l.

before them any Papers or Documents, having been duly served in either Province with reasonable Notice in Writing for that Purpose, he, she, or they shall forfeit and pay the Sum of Fifty Pounds, to be recovered by Bill, Plaint, or Information, in any Court having competent Jurisdiction within the Province in which such Person usually resides, to be applied towards the Support of the Civil Government of the said Province, and to be accounted for to His Majesty, through the Lords Commissioners of His Majesty's Treasury for the Time being, in such Manner and Form as it shall please His Majesty to direct.

Witnesses  
to be sworn.

XIX. And be it further enacted, That the Witnesses to be produced before the said Arbitrators, if it is desired by either of the said Arbitrators, shall and may be sworn before any of His Majesty's Justices of the Peace within either of the said Provinces, or before any One of the said Arbitrators, who are hereby empowered jointly or severally to administer such Oath; and that if any Person shall, in any such Oath so taken as aforesaid, wilfully forswear himself, he shall be deemed guilty of wilful and corrupt Perjury.

Penalty for  
false swearing.

Appointing  
Arbitrators  
on Vacancies.

XX. And be it further enacted, That in case of the Death, Removal, or Incapacity of either of the said Arbitrators before making an Award, or in case the Third Arbitrator chosen or appointed as aforesaid shall refuse to act, another shall be appointed in his Stead, in the same Manner as such Arbitrator so dead, removed, or become incapable or refusing to act as aforesaid, was originally appointed; and that in case a Third Arbitrator shall be appointed by His Majesty as herein-before mentioned, it shall be lawful for the Governor in Chief in and over the said Provinces, to determine the Amount of Remuneration to be paid to such Arbitrator, which Amount shall be defrayed in equal Proportions by each Province, and shall be paid by Warrants, to be issued for that Purpose by the Governor, Lieutenant Governor, or Person administering the Government of each Province, upon the Receiver General thereof respectively.

Award of  
Arbitrators  
to be final.

XXI. And be it further enacted, That the Award of the Majority of the said Arbitrators, so far as the same shall be authorized by this Act, shall be final and conclusive as to all matters therein contained; and that if either of the Arbitrators nominated by the Governor, Lieutenant Governor, or Persons administering the Government of either of the said Provinces, shall refuse or neglect to attend, on due Notice being given, the Two remaining Arbitrators may proceed to hear and determine the matters referred to them, in the same manner as if he were present.

Award to  
be certified  
to the Treas-  
ury and  
the Govern-  
or, &c. of  
the Pro-  
vinces.

XXII. And be it further enacted, That the said Arbitrators, or a majority of them as herein-before mentioned, shall certify the Award to be made by them in the premises, under their Hands and Seals, to the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, and to the Governor, Lieutenant Governor, or Person administering the Government of each of the said Provinces; and that if any Sum be directed by the said Award to be paid to the Province of Upper Canada by the Province of Lower Canada, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of the said Province of Lower Canada, and he is hereby required to issue his Warrant upon the Re-

Payment of  
Sum a-  
warded.

ceiver General of the Province of Lower Canada, in favour of the Receiver General of the Province of Upper Canada, for the Sum so awarded, which Sum shall be accordingly paid by the Receiver General of Lower Canada, in discharge of such Warrant, and shall be accounted for by him to the Lords Commissioners of His Majesty's Treasury for the time being, in such manner, and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

XXIII. And be it further enacted, that the Arbitrators to be appointed under this Act shall have power to hear and determine any Claim which may be advanced on the part of the Province of Lower Canada, upon the Province of Upper Canada, being of the same description as those which by this Act may be preferred to the same Arbitrators on the part of Upper Canada; and that their Award thereupon shall be final and conclusive, and shall be carried into effect if the same be made in favour of the Province of Lower Canada, in the same manner as is herein directed with respect to any Award which may be made in favour of the Province of Upper Canada.

Power to  
Arbitrators  
to deter-  
mine  
Claims ad-  
vanced by  
Lower Ca-  
nada on  
Upper Ca-  
nada.

XXIV. And be it further enacted, That of all Duties which have been levied in the Province of Lower Canada since the First Day of July One Thousand Eight Hundred and Nineteen, under any Act passed in the said Province, upon any Goods, Wares, Merchandise, or Commodities, imported by Sea into the Province of Lower Canada, and also of all Duties which after the passing of this Act, and before the First Day of July One Thousand Eight Hundred and Twenty-four, shall be levied in the Province of Lower Canada, under any Act passed in the said Province, upon any Goods, Wares, Merchandizes, or Commodities imported by Sea into the said Province of Lower Canada, the Province of Upper Canada shall be entitled to have and receive One-fifth Part as the Proportion of Duties arising and due to the said Province of Upper Canada upon such Importations; and that the Governor, Lieutenant Governor, or Person administering the Government of the Province of Lower Canada, shall and may issue his Warrant forthwith upon the Receiver General of Lower Canada, in favour of the Receiver General of the Province of Upper Canada, for such Proportion of the Duties as shall have been received in the Province of Lower Canada before the passing of this Act, and shall and may on the First Day of January and the First Day of July, in each and every Year thereafter, issue his Warrant upon the Receiver General of Lower Canada in like Manner, for the Payment to the Receiver General of Upper Canada, of such Sum as may be then ascertained to be due on account of the said Proportion, according to the Provisions of this Act.

Proportion  
of Duties  
arising in  
Lower Ca-  
nada shall  
be One-  
fifth to Up-  
per Canada.

XXV. And be it further enacted, That immediately after the said First Day of July One thousand eight hundred and twenty-four, the Proportion to be paid to Upper Canada for the Four Years next succeeding, of Duties levied in the Province of Lower Canada, under the Authority of any Act or Acts passed or to be passed therein, upon Goods, Wares, and Commodities imported therein by Sea, shall and may be ascertained by the Award of Arbitrators, to be appointed in the same Manner and with the same Powers as herein-before provided with respect to the Arbitrators to whom the Question of Arrears is to be referred, and that Arbitrators shall in like Manner be appointed, and an Award made Once

After July  
1, 1824,  
Divisions  
of Duties  
shall be a-  
warded by  
Arbitrators  
as herein-  
before men-  
tioned.



Award to  
be made e-  
very Four  
Years.

after every Four Years thereafter, for the Purpose of establishing such Proportion from Time to Time; and all and every the Provisions contained in this Act, respecting the Appointment, Powers, and Remuneration of the Arbitrators to be first appointed after the passing thereof, and regarding the Execution of their Duty, shall apply and extend to the Arbitrators to be appointed for the Purposes last herein mentioned.

Proportion  
hereby es-  
tablished to  
be paid, un-  
til a new  
one is  
made.

XXVI. And be it further enacted, That after the said First Day of *July* One thousand eight hundred and twenty-four, and until a new Proportion of Duties, to be paid to Upper Canada, shall be established, as herein-before provided, and also at all Times hereafter, in default of any such Proportion being appointed, the Proportion of Duties last assigned to be paid to Upper Canada under the Authority of this Act, shall continue to be paid by the Province of *Lower Canada*, and Warrants shall issue for the Payment of the same, in the same Manner as for the Period before the same First Day of *July* One thousand eight hundred and twenty-four: Provided always, that it shall be in the Power of the Arbitrators nevertheless, by their subsequent Award, to alter such Proportion from the Period for which it was last established, if it shall appear to them just so to do.

Proportion  
of Duties  
how to be  
allotted be-  
tween the  
Two Pro-  
vinces.

14 Geo. 3.  
c. 89.

XXVII. And whereas by a certain Act of the Parliament of *Great Britain* passed in the Fourteenth Year of His late Majesty's Reign, intituled *An Act to establish a Fund towards further defraying the Charges of the Administration of Justice and Support of the Civil Government within the Province of Quebec in America*, certain Duties were imposed upon Goods and Commodities imported into the said Province, which Duties are by the said Act directed to be applied, under the Authority of the Lord High Treasurer, or Commissioners of His Majesty's Treasury, in making a more certain and adequate Provision towards defraying the Expence of the Administration of Justice, and the Support of the Civil Government in the said Province of *Quebec*; and since the Division of the said Province of *Quebec* into the Provinces of Upper and Lower Canada, it has been contended, on behalf of the said Provinces, that the Proceeds of such Duties should be distributed between the said Two Provinces in proportion to the Amount of Expences defrayed by each respectively towards the Administration of Justice and the Support of its Civil Government, and not in proportion to the estimated Consumption within either Province of the Articles upon which such Duties shall have been paid; be it therefore enacted, That it shall be lawful for the Arbitrators to be appointed, from Time to Time, for the Purpose of establishing the Proportion which shall be paid to Upper Canada, of such Duties as now are, or hereafter may be imposed, by Acts passed in the Province of *Lower Canada*, to receive the Claims in behalf of each Province with respect to its Proportion of Duties, levied under the said Act passed in the Fourteenth Year of His said late Majesty's Reign, since the Expiration of the last Provisional Agreement heretofore ratified between the said Two Provinces, or which may hereafter be levied under the Authority of the said Act, upon Goods and Commodities imported into *Lower Canada*, and to report the same, with the Evidence thereon, to the Lords Commissioners of His Majesty's Treasury for the United Kingdom of *Great Britain* and *Ireland* for the Time being, in order that they may make such Order respecting the Proportion in which the same shall be expended within each of the

said Provinces respectively, for the Purposes mentioned in the said Act, as to them shall seem meet; Provided always nevertheless, that until such Order shall be made by the Lords Commissioners of His Majesty's Treasury as aforesaid, the Proceeds of such Duties shall be distributed in the same Proportion between the said Two Provinces, as the Duties levied under the Provincial Acts of the Province of *Lower Canada* within the same Period, subject nevertheless to be increased or diminished, as respects either of the said Provinces, by any subsequent Order of the said Lords Commissioners, extended to the period for which no such Order had before been made.

XXVIII. And whereas the Division of the Province of *Quebec* into the two Provinces of *Upper* and *Lower Canada*, was intended for the Common Benefit of His Majesty's Subjects residing within both of the newly constituted Provinces, and not in any manner to obstruct the Interchange or prejudice the Trade to be carried on by the Inhabitants of any part of the said late Province of *Quebec* with *Great Britain*, or with other Countries; and it has accordingly been made a subject of mutual stipulation between the said Two Provinces, in the several Agreements which have heretofore subsisted, that the Province of *Upper Canada* should not impose any Duties upon Articles imported from *Lower Canada*, but would permit and allow the Province of *Lower Canada* to impose such Duties as they might think fit, upon Articles imported into the said Province of *Lower Canada*; of which Duties a certain Proportion was by the said Agreements appointed to be paid to the Province of *Upper Canada*: And whereas in consequence of the Inconveniences arising from the Cessation of such Agreements as above recited, it has been found expedient to remedy the Evils now experienced in the Province of *Upper Canada*, and to guard against such as might in future arise from the Exercise of an exclusive Controul, by the Legislature of *Lower Canada*, over the Imports and Exports into and out of the Port of *Quebec*; and it is further expedient in order to enable the said Province of *Upper Canada* to meet the necessary Charges upon its ordinary Revenue, and to provide with sufficient Certainty for the Support of its Civil Government, to establish such Controul as may prevent the Evils which have arisen or may arise from the Legislature of *Lower Canada* suffering to expire unexpectedly, or repealing suddenly, and without affording to *Upper Canada* an Opportunity of Remonstrance, existing Duties, upon which the principal Part of its Revenue, and the necessary maintenance of its Government may depend; be it therefore enacted, That all and every the Duties which, at the Time of the Expiration of the last Agreement between the said Provinces of *Upper* and *Lower Canada*, were payable under any Act or Acts of the Province of *Lower Canada*, on the Importation of any Goods, Wares, or Commodities into the said Province of *Lower Canada* (except such as may have been imposed for the Regulation of the Trade by Land or Inland Navigation, between the said Province and the United States of *America*), shall be payable and shall be levied according to the Provisions contained in any such Acts until any such Act or Acts for repealing or altering the said Duties, or any Part thereof respectively, shall be passed by the Legislative Council and Assembly of the said Province of *Lower Canada*, and until such Act or Acts, repealing or altering such Duties, shall after a Copy thereof has been transmitted to the Governor, Lieutenant Governor or Person admi-

Duties im-  
posed by  
*Lower Ca-*  
*nada* to re-  
main in  
force till  
repealed or  
altered by a  
Legislative  
Act of the  
Province.



nistering the Government of the Province of *Upper Canada*, be laid before both Houses of the Imperial Parliament, according to the Forms and Provisions contained in a certain Act of the Parliament of *Great Britain*, passed in the Thirty-first Year of the Reign of His said late Majesty, intituled *An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled 'An Act for making more effectual Provision for the Government of the Province of Quebec, in North America,' and to make further Provision for the Government of the said Province, and the Royal Assent thereto proclaimed within the Province of Lower Canada, according to the Provisions of the said last-mentioned Act.*

31 Geo. 3.  
c. 31.

No Act of  
Legislature  
imposing  
Duties,  
whereby the  
Province of  
Upper Ca-  
nada may  
be affected,  
to be valid  
until laid  
before Par-  
liament.

XXIX. And be it further enacted, That from and after the passing of this Act, no Act of the Legislature of the Province of *Lower Canada*, whereby any additional or other Duties shall or may be imposed on Articles imported by Sea into the said Province of *Lower Canada*, and whereby the Province of *Upper Canada* shall or may in any respect be directly or indirectly affected, shall have the Force of Law until the same shall have been laid before the Imperial Parliament, as provided in certain Cases by the said Act passed in the Thirty-first Year of His said late Majesty's Reign, and the Royal Assent thereto published by Proclamation in the said Province of *Lower Canada*, a Copy of such Act having, within One Month from the Time of presenting the same for the Royal Assent in the said Province, been transmitted by the Governor, Lieutenant Governor, or Person administering the Government of the Province of *Lower Canada*, to the Governor, Lieutenant Governor, or Person administering the Government of the Province of *Upper Canada*: Provided always nevertheless, that it shall not be necessary to transmit any such Act to be laid before the Imperial Parliament, if, before the same shall have been presented for the Royal Assent within the said Province of *Lower Canada*, the Legislative Council and House of Assembly of the said Province of *Upper Canada* shall by Address to the Governor, Lieutenant-Governor, or Person administering the Government of the said Province of *Upper Canada*, pray that their Concurrence in the imposition of the Duties intended to be imposed by such Act may be signified to the Governor, Lieutenant-Governor, or Person administering the Government of the said Province of *Lower Canada*.

Boats and  
other Craft  
belonging  
to His Ma-  
jesty's Sub-  
jects may  
go from  
Upper Ca-  
nada into  
Lower Ca-  
nada, not  
laden with  
Foreign Pro-  
ductions, with-  
out being  
subject to  
any Duty.

XXX. And whereas it is expedient that the Productions of the Province of *Upper Canada* should be permitted to be exported without being made subject by any Act of the Province of *Lower Canada*, either directly or indirectly, to Duties or Impositions on their Arrival in that Province, or in passing through the Waters thereof: Be it enacted, That from and after the passing of this Act, all and every the Boats, Scows, Rafts, Cribbs, and other Craft belonging to any of His Majesty's Subjects, and coming from the Province of *Upper Canada* into the Province of *Lower Canada*, not laden with the Productions of any Foreign Country, shall be allowed freely to pass into and through the said Province, and shall not be subject to any Rate, Tax, Duty, or Imposition, other than any Charge which may now exist for Pilotage, or which may now be established for Toll at any Lock or other work now actually erected on the navigable Waters thereof; any Law, Statute or Usage of the Province of *Lower Canada* to the contrary notwithstanding; and that the Expence of Improving the

Navigation of the Waters of the River *Saint Lawrence* shall in future be defrayed by such Measures and in such Proportions as the Arbitrators to be appointed under the Provisions of this Act shall determine, upon the Prayer of either Province: Provided always, that no such Determination shall be carried into effect until sanctioned and enacted by the Legislatures of both the said Provinces.

How Ex-  
pences of  
improving  
the Naviga-  
tion shall be  
paid.

XXXI. And whereas Doubts have been entertained whether the Tenures of Lands within the said Provinces of *Upper and Lower Canada* holden in Fief and Seigniority can legally be changed: And whereas it may materially tend to the Improvement of such Lands, and to the general Advantage of the said Provinces, that such Tenures may henceforth be changed in manner hereinafter mentioned: Be it therefore further enacted and declared, That if any Person or Persons holding any Lands in the said Provinces of *Lower and Upper Canada*, or either of them, in Fief and Seigniority, and having legal Power and Authority to alienate the same, shall at any Time from and after the Commencement of this Act, surrender the same into the Hands of His Majesty, His Heirs or Successors, and shall by Petition to His Majesty, or to the Governor, Lieutenant Governor or Person administering the Government of the Province in which the Lands so holden shall be situated, set forth that he, she, or they is or are desirous of holding the same in free and common Soccage, such Governor, Lieutenant Governor, or Person administering the Government of such Province as aforesaid in pursuance of His Majesty's Instructions, transmitted through his Principal Secretary of State for Colonial Affairs, and by and with the Advice and Consent of the Executive Council of such Province, shall cause a fresh Grant to be made to such Person or Persons of such Lands to be holden in free and common Soccage, in like Manner as Lands are now holden in free and common Soccage in that part of *Great Britain* called *England*; subject nevertheless to Payment to His Majesty, by such Grantee or Grantees, of such Sum or Sums of Money as and for a Commutation for the Fines and other Dues which would have been payable to His Majesty under the original Tenures, and to such Conditions as to His Majesty, or to the said Governor, Lieutenant Governor, or Person administering the Government as aforesaid, shall seem just and reasonable; Provided always, that on any such fresh Grant being made as aforesaid, no Allotment or Appropriation of Lands for the Support and Maintenance of a Protestant Clergy shall be necessary; but every such fresh Grant shall be valid and effectual without any Specification of Lands for the Purpose aforesaid; any Law or Statute to the contrary thereof in any wise notwithstanding.

Lands held  
in Fief and  
Seigniority  
may on Pe-  
tition of the  
Owners to  
His Majesty,  
&c. be  
changed to  
the Tenure  
of free and  
common  
Soccage.

XXXII. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, to Commute with any Person holding Lands at *Cens et Rentes* in any Censive or Fief of His Majesty within either of the said Provinces, and such Person may obtain a Release from His Majesty of all Feudal Rights arising by reason of such Tenure, and receive a Grant from His Majesty, His Heirs or Successors, in free and common Soccage, upon Payment to His Majesty of such Sum of Money as His Majesty, His Heirs or Successors, may deem to be just and reasonable, by reason of the Release and Grant aforesaid; and all such Sums of Money as shall be paid upon any Com-


His Majesty  
may  
Commute  
with Per-  
sons hold-  
ing Land  
at *Cens et*  
*Rentes*.



mutations made by virtue of this Act shall be applied towards the Administration of Justice and the Support of the Civil Government of the said Province.

General Issue. XXXIII. And be it further enacted, That if any Person or Persons shall be sued or prosecuted, for any thing done or to be done in pursuance of this Act, such Person or Persons may plead the General Issue, and give

this Act and the Special Matter in Evidence; and if the Plaintiff or Plaintiffs, Prosecutor or Prosecutors, shall become nonsuit, or forbear the Prosecution, or discontinue his, her, or their Action, or if a Verdict shall pass against him, her or them, the Defendants shall have Treble Costs, and shall have the like Remedy for the same as in Cases where Costs are by Law given to Defendants. Treble Costs.

 (The Schedules are here omitted; because all that part of the foregoing Act which regards the intercourse between Canada and the United States, has been repealed by the Act 6 Geo. IV. Cap. 105; the said intercourse being now regulated by the Acts 6 Geo. IV. Cap. 73. and Cap. 114. as re-printed in this Collection.)

## Anno Sexto Georgii IV. Regis.

### CAP. LIX.

*An Act to provide for the Extinction of Feudal and Seigniorial Rights and Burthens on Lands held à Titre de Fief, and à Titre de Cens, in the Province of Lower Canada; and for the gradual Conversion of those Tenures into the Tenure of Free and Common Soccage, and for other Purposes relating to the said Province.*  
[22d June, 1825.]

3 Geo. 4.  
c. 119.

**W**HEREAS in and by an Act passed in the Third Year of His Majesty's Reign, intituled, "*An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other Purposes relating to the said Provinces,*" certain provisions were made for a change of the Tenure of Lands held in Fief and Seignior, and also for the change of the Tenure of Lands held at *Cens et Rentés*, in the *Censive* of His Majesty, in the Provinces of *Lower and Upper Canada*: And whereas the said Provisions, in so far as they relate to the change of Tenure of Lands in Fief and Seignior cannot, in the said Province of *Lower Canada*, receive execution where such Lands or parts thereof have, under Grants of the Seigniors, become the Property of Persons who hold the same à *Titre de Fief*, in *Arrière Fief*, or à *Titre de Cens*; and further Provision in this behalf is necessary;

Persons holding Fiefs or Seigniories may, on application to His Majesty and on surrender of the ungranted parts thereof obtain a Commutation and Release of Feudal Burthens due to His Majesty thereon.

Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever any Person or Persons holding of His Majesty, as Proprietor or Proprietors, any Fief or Seignior in the said Province of *Lower Canada*, and having legally the Power of Alienating the same, in which Fief or Seignior Lands have been Granted and are held à *Titre de Fief*, in *Arrière Fief*, or à *Titre de Cens*, shall by Petition to the King, through the Governor, Lieutenant Governor, or Person administering the Government of the said Province, apply for a Commutation of and Release from the *Droit de Quint*, the *Droit de Relief*, or other Feudal Burthens due to His Majesty on such Fief or Seignior, and shall surrender into the Hands of His Majesty, His Heirs or Successors, all such parts and parcels of such Fief or Seignior as shall remain and be in his Possession ungranted, and shall not be held as aforesaid à *Titre de Fief*, in *Arrière Fief*, or à *Titre de Cens*, it shall and may be lawful for His Majesty, or for such Governor, Lieutenant Govern-

or, or Person administering the Government as aforesaid, in pursuance of His Majesty's Instructions transmitted through One of His Principal Secretaries of State, by and with the Advice of the Executive Council of the said Province, to Commute the *Droit de Quint*, the *Droit de Relief*, and all other Feudal Rights and Burthens due to His Majesty, upon or in respect of such Fief or Seignior, for such Sum of Money or Consideration, and upon such Terms and Conditions, as to His Majesty, or to such Governor, Lieutenant Governor or Person administering the Government as aforesaid, in pursuance of such Instructions, and by and with such Advice as aforesaid, shall appear meet and expedient; and thereupon to Release the Person or Persons so applying, his, her and their Heirs and Assigns, and all and every the Lands comprized in such Fief or Seignior from the said *Droit de Quint*, *Droit de Relief*, and all other Feudal Burthens due or to grow due thereupon, to His Majesty, His Heirs or Successors, of whatsoever Nature or Kind for ever; and to cause a fresh Grant to be made to the Person or Persons so applying, of all such parts and parcels of such Fief or Seignior as shall as aforesaid remain and be in his, her or their possession ungranted, and which shall not be held à *Titre de Fief*, in *Arrière Fief* as aforesaid, or à *Titre de Cens*, to be thenceforward holden in free and common Soccage, in like Manner as Lands are now holden in free and common Soccage in that part of *Great Britain* called *England*; without its being necessary for the Validity of such Grant, that any Allotment or Appropriation of Lands for the support and maintenance of a Protestant Clergy should be therein made, any Law or Statute to the contrary thereof notwithstanding.

Such Fief or Seignior may be re-granted to the Proprietor in free and common Soccage.

II. Provided always, and be it further enacted, That where such fresh Grant as aforesaid shall be made, nothing in this Act contained shall extend or be construed to extend to take away, diminish, alter, or in any manner or way affect the Feudal, Seigniorial or other Rights of the Seignior or Person in whose favour such Grant

Feudal and Seigniorial rights on the granted parts of such Seignior not



to be affected, until a Commutation thereof shall be obtained as hereinafter provided.

shall be made, upon and in respect of all and every the Lands held of him *à Titre de Cens* or *à Titre de Fief*, in *Arrière Fief* as aforesaid, making part of his, her, or their Fief or Seignior, on which a Commutation of the *Droit de Quint*, or *Droit de Relief*, shall have been obtained as aforesaid; but that all and every such Feudal, Seigniorial and other Rights shall continue and remain in full force upon and in respect of such Lands so held *à Titre de Fief*, in *Arrière Fief* as aforesaid, or *à Titre de Cens*, and the Proprietors and Holders of the same, as if such Commutation or Grant had not been made, until a Commutation, Release and Extinguishment thereof shall have been obtained in the manner hereinafter mentioned.

Persons holding Lands in Fief, and obtaining a Commutation as aforesaid, shall be bound to grant the like Commutation to those holding under them, if required.

III. And be it further enacted, That in all cases where any Seigneur or Seigniors, or Person or Persons holding Lands *à Titre de Fief*, in the said Province of *Lower Canada*, shall by reason or means of a Commutation with His Majesty, or of a surrender of his, her or their Fief or Seignior, or any part thereof to His Majesty, or by reason or means of a Commutation with his or their immediate superior Lord or Seigneur, or otherwise howsoever, have obtained or shall or may hereafter obtain, for himself, herself or themselves, his, her or their Heirs or Assigns, from His Majesty, or from the Governor, Lieutenant Governor, or Person administering the Government of the said Province of *Lower Canada*, or from his, her or their immediate superior Lord or Seigneur, a Release from and Extinguishment of the *Droit de Quint* or *Droit de Relief*, due and payable by him, her or them, his, her or their heirs and assigns, for or in respect of Lands so held *à Titre de Fief*, such Seigneur or Seigniors, Person or Persons aforesaid, his, her and their heirs and assigns shall be held and bound, when thereunto required by any of his, her or their *Censitaires*, or the Persons who now hold or hereafter may hold the said Lands or any of them, or any part thereof *à Titre de Fief*, in *Arrière Fief* as aforesaid, or *à Titre de Cens*, to consent to grant and allow to and in favour of such *Censitaire*, or other Person or Persons as aforesaid, requiring the same, a Commutation, Release and Extinguishment of and from the *Droit de Quint*, and *Droit de Relief*, or *Droit de Lods et Ventes*, as the case may be, and all other Feudal and Seigniorial Rights and Burthens to which such *Censitaire* or other Person or Persons, his or their heirs and assigns, and his and their Lands so held by him or them, may be subject or liable to such Seigneur or Seigniors, Person or Persons aforesaid, his, her or their heirs and assigns, for a just and reasonable Price, Indemnity or Consideration, to be paid for the same, which Price, Indemnity or Consideration, in case the Parties concerned therein shall differ respecting the same, shall be ascertained and fixed by *Experts*, to be in that behalf nominated and appointed, according to the due course of Law in the said Province of *Lower Canada*; regard being had to the Value of the said Lands so held *à Titre de Cens*, or *à Titre de Fief*, in *Arrière Fief*, as aforesaid.

For such price or indemnity as shall be fixed by *Experts*.

Seigniors or others refusing to grant such Commutation may be impleaded in a Court of Law, and

IV. And be it further enacted, That if any such Seigneur or Seigniors, Person or Persons holding Lands *à Titre de Fief*, who shall so as aforesaid have obtained a release of and from the *Droit de Quint*, or *Droit de Relief*, shall, when thereunto required by any Person or Persons holding any of the said Lands *à Titre de Fief*, in *Arrière Fief*, or by any *Censitaire* or *Censitaires* holding any of the said Lands *à Titre de Cens* as aforesaid, upon

the payment or lawful Tender of the Price, Indemnity, or Consideration in that behalf herein-before provided, refuse or neglect to consent to grant and allow to and in favour of such Person or Persons holding such Lands *à Titre de Fief*, in *Arrière Fief*, as aforesaid, or of such *Censitaire* or *Censitaires*, a Commutation, Release and Extinguishment of the *Droit de Quint*, and *Droit de Relief*, or of the *Droit de Cens* and *Droit de Lods et Ventes*, as the Case may be, and of all other Feudal and Seigniorial Rights and Burthens as aforesaid, or shall refuse or neglect to join in the Nomination of *Experts* to ascertain and fix the Price, Indemnity, or Consideration to be paid for such Commutation, Release, and Extinguishment, or shall refuse or neglect to make and execute, to and in favour of such Person or Persons holding such Lands *à Titre de Fief*, in *Arrière Fief* as aforesaid, or of such *Censitaire* or *Censitaires*, as the Case may be, an Instrument in Writing, before Two Notaries, or a Notary and Two Witnesses, containing such Commutation, Release, and Extinguishment, as aforesaid, it shall and may be lawful to and for such Person or Persons holding such Lands *à Titre de Fief*, in *Arrière Fief*, as aforesaid, or for such *Censitaire* or *Censitaires*, as the Case may be, to Implead such Seigneur or Seigniors, Person or Persons as aforesaid, in any of His Majesty's Courts of competent Jurisdiction in the said Province of *Lower Canada*, for the purpose of compelling him or them, to accept the Price, Indemnity, or Consideration herein-before provided, to be ascertained and fixed as aforesaid, for the Commutation, Release, and Extinguishment of the *Droit de Quint* and *Droit de Relief*, or *Droit de Cens* and *Droit de Lods et Ventes*, as the Case may be, and of all other Feudal and Seigniorial Rights and Burthens required and demanded by such *Censitaire* or *Censitaires*, or other Person or Persons as aforesaid, and to obtain the full and entire Benefit of such Commutation, Release, and Extinguishment; and upon the Payment or lawful Tender and Deposit of the Price, Indemnity, or Consideration payable by such Person or Persons as aforesaid, or such *Censitaire* or *Censitaires*, in the Hands of the Prothonotary or Clerk of such Court, for the Use of the said Seigneur or Seigniors, Person or Persons so impleaded as aforesaid, it shall and may be lawful for the said Court, and the said Court is hereby required by their Judgment in that behalf, to award and adjudge to such Person or Persons as aforesaid, or to such *Censitaire* or *Censitaires*, the benefit of the said Commutation, Release and Extinguishment, for and in respect of the Lands for which such payment or tender and deposit shall have been made, as fully and effectually, to all intents and purposes whatsoever, as if such Commutation, Release and Extinguishment had been voluntarily consented to be granted and allowed by the said Seigneur or Seigniors, Person or Persons so impleaded as aforesaid.

such Commutation may be awarded by such Court to the party requiring the same on payment of the price or indemnity.

V. And be it further enacted, That in all cases where such Commutation, Release and Extinguishment as aforesaid, shall have been voluntarily agreed upon, by and between any Seigneur or Seigniors, Person or Persons holding Lands *à Titre de Fief*, who shall have obtained a Release of the *Droit de Quint*, or *Droit de Relief*, as aforesaid, and his or their *Censitaire* or *Censitaires*, or other Person or Persons as aforesaid, in and by any Written Agreement or Instrument in Writing, executed before two Notaries, or a Notary and two Witnesses, and also in all cases where such Commutation, Release and Extinguishment shall have been declared, awarded

Such Commutation having been voluntarily agreed upon or awarded by a Court of Law, all Feudal rights and burthens shall cease upon the



Lands for which the same shall be granted.

and adjudged, by any Court of competent Jurisdiction, by their Judgment, in that behalf as aforesaid, in favour of any Person or Persons as aforesaid, or any *Censitaire* or *Censitaires*, against his, her or their Seigneur or Seigniors impleaded as aforesaid, all and every *Droit de Quint* and *Droit de Relief*, *Droit de Cens*, and *Droit de Lods et Ventes*, and Mutation, Fine of every description, *Droit de Retrait*, *Censuel* and *Conventionel*, *Droit de Banalité*, *Droit de Corvée*, and every Feudal and Seigniorial Right and Burthen whatsoever, upon or in respect of the Lands for which such Commutation, Release and Extinguishment shall have been agreed upon, declared, awarded or adjudged as aforesaid, shall from and after the making of such Agreement or Instrument in Writing, or the rendering of such Judgment as aforesaid, be absolutely and for ever taken away, extinguished and discharged, as well in respect of such *Censitaire* and *Censitaires*, or other Person or Persons as aforesaid, his, her and their heirs and assigns, as in respect of the said Lands; and the Tenure of the said Lands shall thenceforward be converted into free and common Soccage, and the said Lands be held and be taken and considered to be held in free and common Soccage, in like manner as Lands are holden in free and common Soccage in that part of *Great Britain* called *England*, any Law, Usage or Custom to the contrary in any wise notwithstanding.

And the Tenure be converted to free and common Soccage.

Nothing herein contained to extend to discharge Arrears.

VI. Provided always, and be it further enacted, That nothing herein-before contained shall extend or be construed to extend to discharge any Arrears of *Cens et Rentes*, or any *Lods et Ventes*, or other Feudal or Seigniorial rights or dues that may have accrued before such Commutation as aforesaid shall have been required by any *Censitaire* or *Censitaires*, or in anywise to destroy, alter or affect the recourse which the Seigneur or Seigniors to whom such Arrears, *Lods et Ventes* or Rights shall be due, might lawfully have had or taken for the recovery of the same, if such Commutation had not been made.

Persons applying for such Commutation to give public Notice to Mortgagees and others having Claims on such Lands.

VII. Provided nevertheless, and be it further enacted, That in all cases where such application for a Commutation, Release and Extinguishment of Feudal or Seigniorial rights, dues or burthens shall be made in respect of Lands held either immediately of the Crown, or as an *Arrière Fief* as aforesaid, public Notice thereof shall be given by the Person so applying, for the space of Three Calendar Months, in the *Quebec Gazette*, published by Authority, and in two other Newspapers published respectively, in the Cities of *Quebec* and *Montreal*, thereby calling on all Persons who may have or claim to have any present or contingent Right, Interest, Security, Charge or Incumbrance, either by Mortgage (*Hypothèque*) general or special, express or implied, or under any other Title, or by any other means whatsoever, in or upon the Lands in respect of which such Commutation, Release and Extinguishment of Feudal and Seigniorial Rights, dues or burthens, shall be so applied for, to signify in Writing within Three Calendar Months from the Date of such Notification, their assent to or dissent from the surrender, re-grant and change of Tenure of such Lands, and the Commutation, Release and Extinguishment of the Feudal and Seigniorial Dues, Rights and Burthens so applied for; which Consent or Dissent in Writing shall, in case of an Application made by Petition to His Majesty, as hereinbefore mentioned, be lodged within the said last-mentioned period of Three Calendar

Months (and Access shall be by all Persons freely had thereto) in the Office of the Executive Council of the said Province; and in the case where such Commutation, Release and Extinguishment of Feudal and Seigniorial Dues, Rights and Burthens shall be required of a Seigneur, for and in respect of Lands holden under him, à *Titre de Fief*, in *Arrière Fief*, such Consent or Dissent in Writing shall be lodged within the said time (and access shall be by all Persons freely had thereto) in the Office of the Prothonotary or Clerk of the Superior Court of Original Jurisdiction holding Civil Pleas in the District where such Lands shall be situate; and provided further, That no such surrender, re-grant, change of Tenure or Commutation, Release and Extinguishment of Feudal and Seigniorial dues, rights and burthens, shall be Good, Valid or Effectual to any purpose whatsoever, unless such Notification shall have been previously made, and the Consent of all such Persons having, holding or claiming any Right or Interest, Security, Charge or Incumbrance in or upon the said Lands, shall have been signified and deposited as aforesaid; or until the Person applying for such Commutation, Release or Extinguishment of Feudal or Seigniorial dues, rights or burthens, shall show to the satisfaction of His Majesty's Executive Council, or of his immediate Superior, Lord or Seigneur, as the case may be, that no such Claim hath been made or signified, or that having been made, it hath been satisfied or discharged, or been declared by a Judgment of a competent Court of Law to be unfounded.

VIII. And whereas doubts have arisen, whether Lands granted in the said Province of *Lower Canada* by His Majesty, or by any of His Royal Predecessors, to be holden in free and common Soccage, shall be held by the Owners thereof, or will subsequently pass to other Persons according to the Rules of Descent and Alienation in force in *England*, or according to such Rules as were established by the Ancient Laws of the said Province, for the Descent and Alienation of Land situate therein; Be it therefore declared and enacted, That all Lands within the said Province of *Lower Canada*, which have heretofore been granted by His Majesty, or by any of His Royal Predecessors, to any Person or Persons, their heirs and assigns, to be holden in free and common Soccage, or which shall or may hereafter be so granted by His Majesty, His Heirs and Successors, to any Person or Persons, their heirs and assigns, to be holden in free and common Soccage, may and shall be by such Grantees, their heirs and assigns, held, granted, bargained, sold, aliened, conveyed, and disposed of, and may and shall pass by descent, in such manner and form, and upon and under such Rules and Restrictions, as are by the Law of *England* established and in force, in reference to the Grant, Bargain, Sale, Alienation, Conveyance, Disposal, Descent of Lands holden by the like Tenure, therein situate, or to the Dower or other Rights of married Women in such Lands, and not otherwise, any Law, Custom or Usage to the contrary in anywise notwithstanding: Provided nevertheless, That nothing herein contained shall extend to prevent His Majesty, with the Advice and Consent of the Legislative Council and Assembly of the Province of *Lower Canada*, from making and enacting any such Laws or Statutes as may be necessary for the better adapting the before-mentioned Rules of the Law of *England*, or any of them, to the local circumstances and condition of the said Province of *Lower Canada*, and the inhabitants thereof.

Lands holden in free and common Soccage in *Lower Canada*, to be subject to the Laws of *England*.



Certain parts of the Coast of Labrador and adjacent Islands re-annexed to Lower Canada. 49 G. 3. c. 27.—5 G. 4. c. 67.

IX. And whereas under and by virtue of a certain Act, passed in the Forty-ninth Year of the Reign of His late Majesty King George the Third, intituled, "An Act for establishing Courts of Judicature in the Island of Newfoundland, and in the Islands adjacent; and for re-annexing part of Labrador, and the Islands lying on the said Coast, to the Government of Newfoundland;" and of the Act passed in the Fifth Year of the Reign of His present Majesty, intituled, "An Act for the better administration of Justice in Newfoundland, and for other purposes," the Coast of Labrador, from the River Saint John to Hudson's Straights and the Island of Anticosti, and all the Islands adjacent to the said Coast, except the Islands of Madelaine, are annexed to and form part of the Government of Newfoundland; and it is expedient that certain parts of the said Coast of Labrador, should be re-annexed to and form part of the Province of Lower Canada; Be it therefore enacted, That so much of the said Coast as lies to the Westward of a Line to be drawn due North and South from the Bay or Harbour of *Ance à Sablon*, inclusive, as far as the fifty-second degree of North Latitude, with the Island of Anticosti, and all other Islands adjacent to such part as last aforesaid of the Coast of Labrador, shall be and the same are hereby re-annexed to and made a part of the said Province of Lower Canada, and shall henceforward be subject to the Laws of the said Province, and to none other; and so much of the said recited Acts, passed in the Forty-ninth Year of the Reign of His late Majesty King George the Third, and in the Fifth Year of the Reign of His present Majesty, as relates to such part of the Coast of Labrador as last aforesaid, and the said Island of Anticosti and other adjacent Islands, shall be and the same is hereby repealed.

Court of Escheats may be constituted in the said Province to try Forfeitures of uncultivated Lands liable to Escheat to the Crown.

X. And whereas it is necessary to enable His Majesty more easily to resume from Time to Time such Uncultivated Lands within the said Province, holden in free and common Socage, as now are or hereafter may be liable to Escheat, and become Forfeited to His Majesty, by reason of the non-performance of the Conditions of Settlement and Cultivation, or other Conditions mentioned and contained in the Letters Patent or Grants thereof heretofore made, or which shall hereafter be made by His Majesty, either in Virtue of this Act or otherwise; Be it enacted, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of the said Province, with the Advice of the Executive Council thereof, to constitute and appoint, by a Commission under the Great Seal of the said Province, one or more Person or Persons to be a Commissioner or Commissioners of Escheats and Forfeitures of Land within the said Province; which said Commissioner and Commissioners is and are hereby authorized and empowered, from time to time, on information being made and filed before him or them, by the Attorney General or Solicitor General of the said Province, or other Person appointed for that purpose, on behalf of His Majesty, His Heirs or Successors, concerning the performance or non-performance of the Conditions of any Grants or Letters Patent by which any such Land as aforesaid shall at any time have been held, to inquire on the part and behalf of His Majesty, by the Oaths of Twelve good and lawful Men, to be duly summoned for that purpose by the Sheriff, upon a Precept to be issued and directed to him from the Office of the Secretary of the Province, whether the Lands mentioned in the said information are or shall be liable to Escheat and be for-

feited to His Majesty, by reason of the non-performance of any of the Conditions of the respective Grants or Letters Patent thereof; and the said Commissioner or Commissioners shall proceed in the Cognizance of the Matters aforesaid, as nearly as circumstances will admit, according to the Rules, Course and Practice of the Law of England in the like Cases, and shall have Power and Authority to Summon Witnesses to attend and give Evidence before the said Inquest; and the Testimony on Oath of one or more competent Witness or Witnesses, either before the said Inquest, or taken in Writing before a Person or Persons to be appointed for that purpose, by the said Commissioner or Commissioners, and returned and exhibited before the said Inquest, shall be good and sufficient Evidence of the Matters alleged in such Information; and the said Commissioner or Commissioners shall duly return the Inquisitions which he or they shall from time to time take by Virtue of this Act, under his or their Seals, and the Seals of those by whose Oaths he or they shall have taken the same, into the Office of the Secretary of the Province within Thirty Days after the taking thereof; and also within the same time return a Transcript thereof; and of the whole Proceedings relating to the same, into the Supreme Court of Original Jurisdiction, holding Civil Pleas in the District in which the Lands and Premises comprized in the Information shall be situate; and thereupon such Lands and Premises as are thereby found to be forfeited to His Majesty, for non-performance of any of the Conditions on which the same shall have been granted, shall be, and they are hereby declared to be re-vested in His Majesty, His Heirs and Successors, any former Grant or Letters Patent thereof notwithstanding: Provided always, That no new Grant of such Lands shall be made for the space of One Year from the date of such Inquisition, except to the Person or Persons holding or claiming the same under the former Letters Patent thereof, or by a lawful Title derived under the same.

Court how to proceed.

Inquests to be returned.

No new Grant of Escheated Lands to be made for one year.

XI. And be it further enacted, That the Clerk of the said Court of Escheats and Forfeitures, to be appointed in like manner as the said Commissioner or Commissioners, shall within Fourteen Days after the filing of such Information, insert in the *Quebec Gazette*, published by Authority, a Notice signed by Him, and shall as soon thereafter as may be, cause the same to be posted upon a public Place, as near to the Lands mentioned in the said Information as Circumstances will admit, thereby notifying to all Persons interested in such Lands, that such Information has been filed for the purposes aforesaid; and of the Time and Place of holding an Inquest of Office before the said Commissioner or Commissioners, concerning the Matters therein alleged, which time shall not exceed Four or be less than Two Calendar Months from the publishing of such Notice; and such Notice being so published, and Proof thereof made to the satisfaction of the said Commissioner or Commissioners, shall be instead of all other Notice, Process, Writ, Summons or other Proceeding whatever, for the Notification and Appearance of the Person or Persons interested in such Lands, and shall conclude all such Persons for ever; Provided, that it shall be lawful for all Persons interested in or entitled to such Lands as are comprized in any Office or Inquisition so made and returned as aforesaid, to traverse the same in the Court into which it shall have been returned within Three Calendar Months from the Date thereof; and the Notice herein-before required, and the Inquisition so to be taken in pursuance thereof,

Notice to be given.

Parties interested may traverse In. quests.



shall be deemed sufficient and conclusive Notice to the Traverser, and all others concerned in such Traverse; and such Court shall thereupon hear, try, and determine the said Traverse, as nearly as Circumstances will admit, according to the Rules, Course, and Practice of the Law of *England* in the like Cases, and the Judgment of the said Court thereon shall be final.

Certain parts of the Clergy Reserves in the said Province may be surrendered, exchanged, and re-granted, for certain public Uses and other Purposes.

XII. And whereas divers Persons within the said Province of *Lower Canada* hold or claim by Occupancy, lawful Prescription, or Transfer, or by doubtful Titles, divers of the Lands which, in pursuance of the Act of Parliament made in the Thirty-first Year of the Reign of His said late Majesty King *George* the Third, have been appropriated within the said Province of *Lower Canada* for the Maintenance of a Protestant Clergy: And whereas divers Parts of the Lands so appropriated as aforesaid for the Support of a Protestant Clergy, are from Time to Time required as the Site of public Buildings and other Works carried on at the public Expence within the said Province: And whereas divers Parts of such appropriated Lands as aforesaid, which have not been brought into Cultivation by or for the Benefit of the Protestant Clergy within the said Province, are sometimes required to enable His Majesty to complete the Settlement of other Waste Lands in the immediate Vicinity thereof, but by reason of the said Land being so appropriated as aforesaid, it is impossible, except by the Consent of Parliament, to quiet the Possession of such Persons so claiming the same by such Titles as aforesaid, or to obtain a Surrender and Conveyance, or to effect an Exchange of such Parts thereof as may be so required as aforesaid for the public Service, or for the Completion of any such Settlements as aforesaid; Be it therefore enacted, That whenever and so often as it shall appear to the Governor, Lieutenant Governor, or other Person administering the Government of the said Pro-

vince, that the Surrender and Cession of any Part of the Lands so appropriated as aforesaid for the Benefit of a Protestant Clergy in the said Province, is necessary for quieting the Titles of any of His Majesty's Subjects to Lands held or claimed by them by Occupancy, lawful Prescription, Transfer, or by doubtful Titles aforesaid, or is necessary or would be convenient for the carrying on of any public Buildings or Works, or for the more effectual Settlement of any District or Tract of Land within the said Province, or otherwise, for His Majesty's Service, or for the Benefit of the said Province, or of His Majesty's Subjects therein resident, then, and in any or either of the Cases aforesaid, it shall and may be lawful for the Bishop of *Quebec* for the Time being, on behalf of the said Protestant Clergy, in compliance with any Requisition in Writing to him for the Purpose made by such Governor, Lieutenant Governor, or other Person administering the Government of the said Province, and he is hereby required, by a Deed under his Hand and Seal, duly attested by Two or more credible Witnesses, to surrender, yield up, and convey to His Majesty, His Heirs and Successors, the Lands comprized and described in any such Requisition as aforesaid, in Exchange for other Lands situate in the said Province, of equal Extent and Value, to be by His Majesty appropriated and set apart for the Support and Maintenance of Protestant Clergy therein; and which Deed, so executed by the said Bishop of *Quebec* for the Time being, shall be valid and effectual in Law, to vest in His Majesty, His Heirs and Successors, all the Lands therein included and comprised; and such Lands shall and may, by His Majesty, His Heirs and Successors, be re-granted and re-conveyed to any other Person or Persons, for quieting their Possession and Titles, or otherwise, as may from Time to Time be expedient or necessary, without any further Appropriation of Land being thereupon made for the Benefit of a Protestant Clergy.

## Anno Primo & Secundo Georgii IV. Regis.

CAP. LXVI.

*An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain Parts of North America.* [2d July, 1821.]

WHEREAS the Competition in the Fur Trade between the Governor and Company of Adventurers of *England*, trading into *Hudson's Bay*, and certain Associations of Persons trading under the name of "The North-West Company of *Montreal*," has been found for some years past to be productive of great Inconvenience and Loss, not only to the said Company and Associations, but to the Trade in general, and also of great injury to the native *Indians*, and of other Persons Subjects of His Majesty: And whereas the animosities and feuds, arising from such Competition, have also for some years past kept the Interior of *America*, to the Northward and Westward of the Provinces of *Upper* and *Lower Canada*, and of the Territories of the United States of *America*, in a state of continued Disturbance: And whereas many Breaches of the Peace, and Violence extending to the Loss of Lives, and considerable Destruction of Property, have occurred therein: And whereas, for Remedy of such Evils, it is expedient and neces-

sary that some more effectual Regulations should be established for the Apprehending, Securing, and Bringing to Justice all Persons committing such Offences, and that His Majesty should be empowered to regulate the said Trade: And whereas Doubts have been entertained, whether the Provisions of an Act passed in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled, "*An Act for extending the Jurisdiction of the Courts of Justice in the Province of Lower and Upper Canada, to the Trial and Punishment of Persons guilty of Crimes and Offences within certain parts of North America adjoining to the said Provinces*," extended to the Territories granted by Charter to the said Governor and Company; and it is expedient that such Doubts should be removed, and that the said Act should be further extended: Be it therefore enacted by the King's Most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled;

3 Geo. 3.  
c. 138.



Empowering his Majesty to make Grants for the exclusive trade of certain Parts of North America.

and by the Authority of the same, That from and after the passing of this Act, it shall be lawful for His Majesty, His Heirs or Successors, to make Grants or give His Royal Licence, under the Hand and Seal of One of His Majesty's Principal Secretaries of State, to any Body Corporate, or Company, or Person or Persons, of or for the exclusive Privilege of Trading with the *Indians*, in all such parts of *North America* as shall be specified in any such Grants or Licences respectively, not being part of the Land or Territories heretofore granted to the said Governor and Company of Adventurers of *England* trading to *Hudson's Bay*, and not being part of any of His Majesty's Provinces in *North America*, or of any Lands or Territories belonging to the United States of *America*; and all such Grants and Licences shall be good, valid and effectual for the purpose of securing to all such Bodies Corporate, or Companies, or Persons, the sole and exclusive Privilege of trading with the *Indians* in all such parts of *North America* (except as herein-after excepted,) as shall be specified in such Grants or Licences; any thing contained in any Act or Acts of Parliament, or any Law to the contrary notwithstanding.

Limiting the Periods for which such Grants may be made.

II. Provided always, and be it further enacted, That no such Grant or Licence, made or given by His Majesty, His Heirs or Successors, of any such exclusive privileges of trading with the *Indians* in such parts of *North America* as aforesaid, shall be made or given for any longer period than Twenty-one Years; and no Rent shall be required or demanded for or in respect of any such Grant or Licence, or any privileges given thereby under the provisions of this Act, for the first period of Twenty-one Years, and from and after the expiration of such first period of Twenty-one Years, it shall be lawful for His Majesty, His Heirs or Successors, to reserve such Rents in any future Grants or Licences to be made to the same or any other Parties, as shall be deemed just and reasonable, with Security for the Payment thereof; and such Rents shall be deemed part of the Land Revenues of His Majesty, His Heirs and Successors, and be applied and accounted for as the other Land Revenues of His Majesty, His Heirs or Successors, shall, at the time of payment of any such Rent being made, be applied and accounted for.

Persons to whom such Grants shall be made, to enter in o Security.

III. And be it further enacted, That from and after the passing of this Act, the Governor and Company of Adventurers trading to *Hudson's Bay*, and every Body Corporate and Company and Person to whom every such Grant or Licence shall be made or given as aforesaid, shall respectively keep accurate Registers of all Persons in their employ in any part of *North America*, and shall, once in each year, return to His Majesty's Secretaries of State, accurate Duplicates of such Registers, and shall also enter into such Security as shall be required by His Majesty for the due Execution of all Processes Criminal and Civil, as well within the Territories included in any such Grant, as within those granted by Charter to the Governor and Company of Adventurers trading to *Hudson's Bay*, and for the producing or delivering into safe Custody, for purpose of Trial, of all Persons in their employ, or acting under their authority, who shall be charged with any Criminal Offence, and also for the due and faithful observance of all such Rules, Regulations and Stipulations as shall be contained in any such Grant or Licence, either for diminishing or preventing the sale or distribution of Spirituous Liquors to the *Indians*, or for promoting their moral and religi-

ous improvement, or for any other object which His Majesty may deem necessary for the remedy or prevention of the other evils which have hitherto been found to exist.

IV. And whereas by a Convention entered into between His Majesty and the United States of *America*, it was stipulated and agreed, that any Country on the North-west Coast of *America*, to the Westward of the *Stony Mountains*, should be free and open to the Citizens and Subjects of the Two Powers, for the Term of Ten Years from the Date of the Signature of that Convention; be it therefore enacted, That nothing in this Act contained shall be deemed or construed to authorize any Body Corporate, Company, or Person, to whom His Majesty may have, under the Provisions of this Act, made a Grant or given a Licence of exclusive Trade with the *Indians* in such Parts of *North America* as aforesaid, to claim or exercise any such exclusive Trade within the Limits specified in the said Article, to the Prejudice or Exclusion of any Citizens of the said United States of *America*, who may be engaged in the said Trade: Provided always, that no *British* Subject shall trade with the *Indians* within such Limits, without such Grant or Licence as is by this Act required.

Such Grant of exclusive Trade not to interfere with Citizens of the United States beyond the *Stony Mountains*.

V. And be it declared and enacted, That the said Act passed in the Forty-third Year of the Reign of His late Majesty, intituled, "*An Act for extending the Jurisdiction of the Courts of Justices in the Provinces of Lower and Upper Canada, to the Trial and Punishment of Persons guilty of Crimes and Offences within certain Parts of North America adjoining to the said Provinces*," and all the Clauses and Provisos therein contained, shall be deemed and construed, and it is and are hereby respectively declared, to extend to and over and to be in full force in and through all the Territories heretofore granted to the Company of Adventurers of *England* trading to *Hudson's Bay*; any thing in any Act or Acts of Parliament, or this Act, or in any Grant or Charter to the Company, to the contrary notwithstanding.

43 G. 3. c. 138, extended to the Territories granted to the *Hudson's Bay* Company.

VI. And be it further enacted, That from and after the passing of this Act, the Courts of Judicature now existing, or which may be hereafter established in the Province of *Upper Canada*, shall have the same Civil Jurisdiction, Power and Authority, as well in the Cognizance of Suits, as in the issuing of Process, mesne and final, and in all other Respects whatsoever, within the said *Indian Territories*, and other Parts of *America* not within the Limits of either of the Provinces of *Lower* or *Upper Canada*, or of any Civil Government of the United States, as the said Courts have or are invested with within the Limits of the said Provinces of *Lower* or *Upper Canada* respectively; and that all and every Contract, Agreement, Debt, Liability, and Demand whatsoever, made, entered into, incurred, or arising within the said *Indian Territories* and other Parts of *America*, and all and every Wrong and Injury to the Person or to Property, Real or Personal, committed or done within the same, shall be and be deemed to be of the same Nature, and be cognizable by the same Courts, Magistrates, or Justices of the Peace, and be tried in the same Manner, and subject to the same Consequences in all respects, as if the same had been made, entered into, incurred, arisen, committed, or done within the said Province of *Upper Canada*; any thing in any Act or Acts of Parliament, or Grant or Charter, to the contrary notwithstanding:

Courts of Judicature established in *Upper Canada* to take Cognizance of Causes in *Indian Territories*.

Actions relating to



Lands not within the Province of Upper Canada to be decided according to the Law of England.

Provided always, that all such Suits and Actions relating to Lands, or to any Claims in respect of Land, not being within the Province of *Upper Canada*, shall be decided according to the Laws of that part of the United Kingdom called *England*, and shall not be subject to or affected by any Local Acts, Statutes, or Laws of the Legislature of *Upper Canada*.

Proceedings of Courts to be issued in the same Manner as heretofore.

VII. And be it further enacted, That all Process, Writs, Orders, Judgments, Decrees, and Acts whatsoever, to be issued, made, delivered, given, and done by or under the Authority of the said Courts, or either of them, shall have the same Force, Authority, and Effect within the said *Indian Territory* and other parts of *America* as aforesaid, as the same now have within the said Province of *Upper Canada*.

Appointments of Justices of Peace.

VIII. And be it further enacted, That it shall be lawful for the Governor or Lieutenant Governor, or Person administering the Government, for the Time being, of *Lower Canada*, by Commission under his Hand and Seal, to authorize all Persons who shall be appointed Justices of the Peace under the Provisions of this Act, within the said *Indian Territories*, or other parts of *America* as aforesaid, or any other Person who shall be specially named in any such Commission, to act as a Commissioner within the same, for the Purpose of executing, enforcing, and carrying into effect all such Process, Writs, Orders, Judgments, Decrees, and Acts, which shall be issued, made, delivered, given, or done by the said Courts of Judicature, and which may require to be enforced and executed within the said *Indian Territories*, or such other parts of *North America* as aforesaid; and in case any Person or Persons whatsoever residing or being within the said *Indian Territories*, or such other parts of *America* as aforesaid, shall refuse to obey or perform any such Process, Writ, Order, Judgment, Decree, or Act of the said Courts, or shall resist or oppose the execution thereof, it shall and may be lawful for the said Justices of the Peace or Commissioners, and they or any of them are and is hereby required, on the same being proved before him, by the Oath or Affidavit of One credible Witness, to commit the said Person or Persons so offending as aforesaid to Custody, in order to his or their being conveyed to *Upper Canada*; and that it shall be lawful for any such Justice of the Peace or Commissioner, or any Person or Persons acting under his Authority, to convey or cause to be conveyed such Person or Persons so offending as aforesaid to *Upper Canada*, in pursuance of such Process, Writ, Order, Decree, Judgment, or Act, and such Person and Persons shall be committed to Gaol by the said Court, on his, her, or their being so brought into the said Province of *Upper Canada*, by which such Process, Writ, Order, Decree, Judgment, or Act was issued, made, delivered, given, or done, until a final Judgment or Decree shall have been pronounced in such Suit, and shall have been duly performed, and all Costs paid, in case such Person or Persons shall be a Party or Parties in such Suit, or until the Trial of such Suit shall have been concluded, in case such Person or Persons shall be a Witness or Witnesses therein: Provided always, that if any Person or Persons so apprehended as aforesaid shall enter into a Bond of Recognizance to any such Justice of the Peace or Commissioner, with Two sufficient Sureties, to the Satisfaction of such Justice of the Peace or Commissioner, or the said Courts, conditioned to obey and perform such Process, Writ, Order, Judgment, Decree or Act as

aforesaid, then and in such Case it shall and may be lawful for the said Justice of the Peace or Commissioner, or the said Courts, to discharge such Person or Persons out of Custody.

IX. And be it further enacted, That in case such Person or Persons shall not perform and fulfil the Condition or Conditions of such Recognizance, then and in such Case it shall and may be lawful for any such Justice or Commissioner, and he is hereby required, to assign such Recognizance to the Plaintiff or Plaintiffs in any Suit in which such Process, Writ, Order, Decree, Judgment, or Act shall have been issued, made, delivered, given or done, who may maintain an Action in the said Courts in his own Name against the said Sureties, and recover against such Sureties the full amount of such Loss or Damage as such Plaintiff shall prove to have been sustained by him by reason of the original Cause of Action in respect of which such Process, Writ, Order, Decree, Judgment, or Act of the said Courts were issued, made, delivered, given or done as aforesaid, notwithstanding any thing contained in any Charter granted to the said Governor and Company of Adventurers of *England* trading to *Hudson's Bay*.

For assigning Recognizances issued.

X. And be it further enacted, That it shall be lawful for His Majesty, if He shall deem it convenient so to do, to issue a Commission or Commissions to any Person or Persons to be and act as Justices of the Peace within such Parts of *America* as aforesaid, as well within any Territories heretofore granted to the Company of Adventurers of *England* trading to *Hudson's Bay*, as within the *Indian Territories* of such other parts of *America* as aforesaid; and it shall be lawful for the Court in the Province of *Upper Canada*, in any Case in which it shall appear expedient to have any Evidence taken by Commission, or any Facts or Issue, or any Cause or Suit ascertained, to issue a Commission to any Three or more of such Justices to take such Evidence, and return the same, to try such Issue, and for that Purpose to hold Courts and to issue Subpœnas or other Processes to compel Attendance of Plaintiffs, Defendants, Jurors, Witnesses, and all other Persons requisite and essential to the Execution of the several Purposes for which such Commission or Commissions had issued, and with the like Power and Authority as are vested in the Courts of the said Province of *Upper Canada*; and any Order, Verdict, Judgment, or Decree that shall be made, found, declared, or published by or before any Court or Courts held under and by virtue of such Commission or Commissions, shall be considered to be of as full Effect, and enforced in like manner, as if the same had been made, found, declared, or published within the Jurisdiction of the Court of the said Province; and at the Time of issuing such Commission or Commissions shall be declared, the Place or Places where such Commission is to be opened and the Courts and Proceedings thereunder held; and it shall be at the same time provided how and by what Means the Expenses of such Commission, and the Execution thereof, shall be raised and provided for.

Appointment of Justices to determine Causes.

XI. And be it further enacted, That it shall be lawful for His Majesty, notwithstanding any thing contained in this Act, or in any Charter granted to the said Governor and Company of Adventurers of *England* trading to *Hudson's Bay*, from Time to Time, by any Commission under the Great Seal, to authorize and empower

His Majesty may issue Commissions under the Great Seal to empower.



ing Justices to hold Courts of Record for the Trial of Criminal and Civil Offences.

any such Persons so appointed Justices of the Peace as aforesaid, to sit and hold Courts of Record for the Trial of Criminal Offences and Misdemeanors, and also of Civil Causes; and it shall be lawful for His Majesty to order, direct, and authorize the Appointment of proper Officers to act in aid of such Courts and Justices within the Jurisdiction assigned to such Courts and Justices in any such Commission; any thing in this Act, or in any Charter of the Governor and Company of Merchants Adventurers of *England* trading to *Hudson's Bay*, to the contrary notwithstanding.

Court to be constituted as His Majesty shall direct.

Power of the Court not to extend to Capital Offences; nor to Civil Actions where the amount

XII. Provided always, and be it further enacted, That such Courts shall be constituted, as to the Number of Justices to preside therein, and as to such places within the said Territories of the said Company, or any *Indian Territories*, or other parts of *North America* as aforesaid, and the Times and Manner of holding the same, as His Majesty shall from Time to Time order and direct; but shall not try any Offender upon any Charge or Indictment for any Felony made the Subject of Capital Punishment, or for any Offence or passing Sentence affecting the Life of any Offender, or adjudge or cause any Offender to suffer Capital Punishment or Transportation, to take Cognizance of or try any Civil Action or Suit, in which the Cause of such Suit or Action shall exceed in Value the Amount or Sum of Two

Hundred Pounds; and in every case of any Offence subjecting the Person committing the same to Capital Punishment or Transportation, the Court or any Judge of any such Court, or any Justice or Justices of the Peace, before whom any such Offender shall be brought, shall commit such Offender to safe Custody, and cause such Offender to be sent into such Custody for Trial in the Court of the Province of *Upper Canada*.

in Issue exceeds 200*l*.

XIII. And be it further enacted, That all Judgments given in any Civil Suit shall be subject to Appeal to His Majesty in Council, in like Manner as in other Cases in His Majesty's Province of *Upper Canada*, and also in any Case in which the Right or Title to any Land shall be in question.

Allowing an Appeal.

XIV. And be it further enacted, That nothing in this Act contained shall be taken or construed to affect any Right, Privilege, Authority, or Jurisdiction which the Governor and Company of Adventurers trading to *Hudson's Bay* are by Law entitled to claim and exercise under their Charter; but that all such Rights, Privileges, Authorities, and Jurisdictions shall remain in as full force, virtue, and effect, as if this Act had never been made, any thing in this Act to the contrary notwithstanding.

Act not to affect Rights of Hudson's Bay Company.

## Anno Sexto Georgii IV. Regis.

### CAP. LXIV.

*An Act to alter for One Year, and until the End of the then next Session of Parliament, the Duty on Wheat, the Produce of the British Possessions in North America.* [22d June 1825.]

Prohibitions on the Importation of Wheat, the Produce of British Possessions in North America, and the Duties payable under 55 G. 3. c. 26; and also under 3 G. 4. c. 60. &c. suspended for a limited time.

WHEREAS it is expedient to permit, for a Time to be limited, the Importation of Wheat the Produce of and imported from the *British Possessions in North America*, on the Payment of a certain Duty; be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for One Year from and after the passing of this Act, and further until the End of the then next Session of Parliament, all Prohibitions and Restrictions upon the Importation of Wheat, the Produce of, and imported from the *British Possessions in North America*, and all Duties payable on the Importation of such Wheat under an Act passed in the Fifty-fifth Year of the Reign of His late Majesty, intituled "*An Act to amend the Laws now in force for regulating the Importation of Corn*;" and also an Act passed in the Third Year of the Reign of His present Majesty, intituled "*An Act to amend the Laws relating to the Importation of Corn*;" or any other Act or Acts in force immediately before the passing of this Act, shall be and are hereby suspended; and that for One Year from and after the passing of this Act, and further until the End of the then next Session of Parliament, any Wheat, the Produce of and imported from the *British Possessions in North America*, shall and may be imported into the United Kingdom, what-

ever the Average Prices of *British Wheat* may be; any thing in the said Acts or any of them to the contrary notwithstanding; and that from and after the passing of this Act, in lieu and instead of all former Duties payable on such Wheat, there shall be levied and paid, during the Period aforesaid, upon the Importation of any such Wheat, the Sum of Five Shillings for every Quarter thereof.

Instead of former Duties there shall be paid on the Importation 5*s*. per Quarter.

II. And be it further enacted, That no Wheat shall be shipped from any Port in the *British Possessions in North America*, until the Owner or Proprietor thereof shall have made Oath before the Collector or Controller of the Port of Shipment, that such Wheat was the Produce of some *British Possession in North America*, naming the same; and that before any Wheat shall be entered in the United Kingdom as being the Produce of the *British Possessions in North America*, the Master of the Ship importing the same shall produce a Copy of the Deposition made, signed by the Collector or Controller before whom it was made, at the Port of Shipment, and make Oath before the Collector or Controller of the Port of Importation, that the Wheat is the same that was sworn to in the Deposition he produces: Provided always, that this Oath shall not be required in respect to any Wheat which shall have been shipped within Three Months after the passing of this Act.

Regulations to be observed on the Importation of such Wheat.



## Anno Sexto Georgii IV. Regis.

## CAP. XVI.

*The New Bankrupt Act now in force in England, to amend the Laws relating to Bankrupts.*

[2d May 1825.]

SECTION I. The 21 Acts cited below,\* are repealed.

II. Subjects to the Bankrupt Laws—Bankers, Brokers, Scriveners, Sea-insurers, Warehousemen, Wharfingers, Packers, Builders, Carpenters, Shipwrights, Victuallers, Keepers of Inns, Taverns, Hotels or Coffee-houses, Dyers, Printers, Bleachers, Fullers, Calenderers, Cattle or Sheep Salesmen, Traders of Merchandize, in gross or by retail; and all who, for themselves or for others, “seek their living by buying and selling, by buying and letting for hire, or by the workmanship of Goods or Commodities.” But “no Farmer, Grazier, common Labourer, or Workmen for Hire, Receiver General of the Taxes,; or Member of or Subscriber to any Incorporated, Commercial, or Trading Companies, established by Charter or Act of Parliament.”

*Acts of Bankruptcy described in the following Sections.*

SECTION III. Departing the Realm; remaining abroad; departing from Dwelling-house, or otherwise absenting himself, beginning to keep House, suffering Arrest for Debt not due, yielding to prison, Fraudulent Outlawry, Arrest, Attachment, Sequestration, Execution, Conveyance, Surrender, or gift of Chattels, for the purpose of defeating or delaying Creditors. But not,

IV. Trust-conveyance of all his Property, for the Benefit of Creditors, unless a Commission issue within Six Months, provided the Deed be executed by Trustees, within Fifteen Days after Execution by the Trader; and that Notice be given in the *London Gazette* and in certain Newspapers.

V. Bankruptcy inferred from lying in Prison for Debt, for Twenty-one Days, or escaping out of Custody; but if in Prison at the commencement of this Act, must have lain there for Two Months.

VI. Or from Declaration of Insolvency filed at the Bankrupt Office, and Notice thereof in the *London Gazette*, within Eight Days thereafter; but no Docket shall be struck before Four Days after such Notice, if Commission to be executed in London, or Eight Days in a Country Commission.

VII. Such Declaration valid, although concerted between Bankrupt and Creditor.

VIII. Bankruptcy also inferred from Trader compounding with Petitioning Creditor, in which case the Commission may be either superseded or continued; and the Creditor shall, besides forfeiting his Debt, make restitution to the other Creditors.

IX. Traders having privilege of Parliament to be proceeded against as other Bankrupts; but not subject to arrest, except in cases of Felony.

X. Privileged Debtor not, within One Month, compounding, or entering appearance to, action brought by a Creditor, an act of Bankruptcy.

XI. Also his disobeying order of and Court of Equity, or in matter of Bankruptcy or Lunacy for Payment of Money, within Eight Days after service of Peremptory Order fixing a day.

XII. The Lord Chancellor shall issue Commission under the Great Seal “to such Persons as to him shall seem fit,” to execute this Act, as to the body and property of the Bankrupt.

XIII. Petitioning Creditor must previously make Affidavit of his Debt, and give Bond to the Lord Chancellor in Two Hundred Pounds conditioned for proving his Debt and the Act of Bankruptcy,

as well as for proceeding on the Commission; but on his failure in such proof, or if Commission fraudulent or malicious, the Lord Chancellor may, on application of the alleged Bankrupt, assign in to him such Bond, to facilitate the recovery of damages.

XIV. Petitioning Creditor shall prosecute Commission at his own cost, until choice of Assignees, by whom he is to be reimbursed out of their receipts; costs subsequently incurred to be settled by the Commissioners; but any Creditor proving for Twenty Pounds or more, may have them settled by a Master in Chancery.

XV. Debt of Petitioning Creditor (or of Two or more, being partners) must amount to One Hundred Pounds; of Two Creditors, One Hundred and Fifty Pounds; and of Three or more Creditors, Two Hundred Pounds; but Creditor in Debt, payable at a future time, may apply, although no written security given.

XVI. Creditors entitled to Petition against all the partners in a Firm, may apply against one or more partners, though not obliged to include the whole, and Commission may be superseded as to one or more, without affecting the rest.

XVII. Second or other Commission shall be directed to the same Commissioners as the First, and the property to be conveyed to the former Assignees; but the Commissions may be directed to proceed, either separately or in conjunction.

XVIII. If Petitioning Creditor's Debt be insufficient to support the Commission, an application from any other Creditor, in a Debt not anterior, will validate the proceedings.

XIX. Commission not invalidated by Act of Bankruptcy, prior to petitioning Creditor's Debt, provided there be a sufficient Act of Bankruptcy subsequent.

XX. Authorises Auxiliary Commissions, for proof of Debts under Twenty Pounds or examination of witnesses; Commissioners therein to have the same powers as conferred by the original Commission; and examinations to be annexed to the original Commission.

XXI. Prescribes the Oath of the Commissioners, which they are to administer to one another and enter among the Proceedings.

XXII. Specifies their Fees, and directs that any Commissioner receiving more, or eating or drinking at the charge of the Creditors, or out of the Bankrupt's Estate, “shall be disabled for ever from acting in such or any other Commission.”

XXIII. Gives preference to Commissioners, being *Barristers* in Country Commissions.

XXIV. Authorises Commissioners *before* Adjudication, but after being sworn, to take examinations, as to Trading or Acts of Bankruptcy; and Persons summoned, being in default, shall incur the same Penalty as Defaulters *after* Adjudication; and Commissioners, on being satisfied as to those points, shall Adjudicate the Bankruptcy.

XXV. Commissioners shall give Notice of Adjudication in the *London Gazette*, and thereby appoint Three Public Meetings for the Bankrupt to surrender and conform, the last to be on the Forty-second Day limited for such surrender.

XXVI. No Commission shall abate by demise of the Crown, or by Death of the Bankrupt after Adjudication; and in case of a renewed Commission, only half of the usual Fees to be paid.

XXVII. Any Person may, under warrant of the Commissioners,

\* 34 and 35 H. VIII. c. 4.; 13 Eliz. c. 7.; 1 Jac. I. c. 15.; 21 Jac. I. c. 19.; 13 and 14 Car. II. c. 24.; 10 Ann. c. 15.; 7 G. I. c. 31.; 5 G. II. c. 30.; 19 G. II. c. 32.; 24 G. II. c. 57.; 4 G. III. c. 33.; 36 G. III. c. 90.; 37 G. III. c. 124.; 45 G. III. c. 124.; 46 G. III. c. 135.; 49 G. III. c. 121.; 56 G. III. c. 137.; 1 G. IV. c. 115.; 3 G. IV. c. 74.; 3 G. IV. c. 81.; and 5 G. IV. c. 98.



break open the Bankrupt's Door, and seize upon his body or property; and, if already in Prison, may seize his Property in Prison, except necessary Wearing Apparel.

XXVIII. The Person so appointed may break open the Bankrupt's Door, and seize his Property in Ireland, provided the Warrant be sworn to by the Solicitor to the Commission before the Chief Magistrate, &c. of the City, &c. where the Commission is executed, and that the Messenger depose, before a Justice of the Peace, that he is the Person named in the Warrant.

XXIX. Wherever any Justice of the Peace in England or Ireland shall be satisfied that there is reason to suspect concealment of Property, in places not belonging to the Bankrupt, he shall grant a Search Warrant, to be executed as in cases of reputed Stolen Property.

XXX. Similar Powers granted for making Seizure of Property in Scotland; the Warrant being Indorsed by a Judge Ordinary or Justice of the Peace.

XXXI. No Action to be brought against the Messenger for obeying Warrant to choice of Assignees, unless a demand upon him for a perusal and copy of the Warrant shall have been made, refused or neglected for Six Days thereafter; and on action brought against the Messenger, after compliance with such demand, without making the Petitioning Creditor Defendant, on proof of the Warrant, Verdict shall be given for the Defendant, notwithstanding defect of Jurisdiction in the Commissioners; if Action shall include the Petitioning Creditors, Verdict shall, on proof of the Warrant, still be given for the Messenger, although there be defect of Jurisdiction; and, on Verdict against the Petitioning Creditors, he must answer for Plaintiff's Costs, including those awarded to the Messenger.

XXXII. In such Action, whether brought against the Petitioning Creditor alone, or jointly with the Messenger, proof that the Defendant is Petitioning Creditor shall render him liable.

XXXIII. After Adjudication, the Commissioners may summon before them Persons known or suspected to have the Bankrupt's Property in their hands, or to be his Debtors, and compel them to produce Books, &c.; and, in default, such Persons may be arrested, and compelled to appear.

XXXIV. Commissioners are empowered to examine Persons so summoned, or present at any Meeting, in regard to the Bankrupt's Affairs, or his Acts of Bankruptcy; and on their refusing to be sworn, or to answer, or not fully answering, or refusing to sign examination, or to produce Books, &c. they may be committed, without Bail, until their compliance.

XXXV. Such Persons so summoned shall have their Costs and Charges at the discretion of the Commissioners; and witnesses to have their necessary expences tendered as in cases of Subpœna in an Action at Law.

XXXVI. Commissioners may summon before them any Bankrupts, whether Certificated or not; on Default, they may Arrest him and compel him to appear; on his appearance may examine him, so as to effect a full disclosure of his transactions; and upon his refusing to be sworn, or to answer, or not fully answering, or to sign his examination, may Commit him without Bail, until he complies.

XXXVII. They may, in like manner, summon and examine the Bankrupt's Wife, who shall, for contumacy, incur the same penalty as is prescribed against other Persons.

XXXVIII. Jailer suffering the escape of any such Person, to forfeit Five Hundred Pounds.

XXXIX. Commitment for refusing to answer, or not fully answering, shall specify every question; in case of Habeas Corpus, for insufficiency in the Warrant, the Court or Judge may recommit the Prisoner until he conform, unless it be shown that he has answered all lawful questions; if the Commitment has been for refusing to be sworn or to sign his examination, unless it appear he had sufficient reason for refusal; but the Court or Judge may look at

the whole of the examination, and if the answers appear satisfactory, the party may be discharged.

XL. In Actions of False Imprisonment, where the examination has been partially stated in the Warrant, the Court may look at the whole of the examination, and if the Commitment appears to have been lawful, the Defendants shall not be prejudiced by such partial statement.

XLI. No Commissioner to be sued in less than one Calendar Month after Notice, setting forth the cause of Action.

XLII. Defendant in such Action shall have Verdict and Costs, unless Notice is proved; and no Evidence shall be given to any thing not contained in the Notice.

XLIII. Commissioners may, on tendering amends within One Month after Notice, plead it in Bar of Action, together with Plea of Not Guilty, and any other Plea, with leave of the Court; Jury, if they consider tender sufficient, to find for Defendant; and, in case of Non-suit, Discontinuance, or Judgment for Defendant on demurrer, he shall have Costs, as if he had pleaded the general Issue only; but if the Jury find insufficient tender, or none, and against Defendant on such other Pleas, they shall give Verdict for Plaintiff with Damages and Costs; *proviso*, that amends may be paid into Court before Issue joined.

XLIV. Actions brought against any Person for things done in pursuance of this Act, shall be commenced within Three Calendar Months after the fact committed; Defendant may plead the general Issue, giving this Act and the Special matter in evidence; and if the same shall appear to have been done under authority of this Act, or that the Action was not brought within the time limited, the Jury shall find for the Defendants, who, thereupon, or in case of Non-suit, Discontinuance, or Judgment upon demurrer, shall recover double Costs.

XLV. Commissioners may appoint Assignees of the Bankrupt's real and personal Estate, until the Creditors shall choose, to whom the First Assignees shall deliver and Assign the Estate, within Ten Days after Notice of such choice, each under a Penalty of Two Hundred Pounds.

XLVI. At the three Meetings appointed under Sec. 25, and at every other meeting regularly intimated, every Creditor may prove his debt by his own oath; bodies politic, and public incorporated companies, by that of an authorized agent; if Creditor's residence be remote, he may prove by affidavit, before a Master in Chancery, Ordinary or Extraordinary; if out of England, before a Magistrate, with attestation of a Notary Public, British Minister, or Consul; but Commissioners may examine Creditor upon oath, or require further proof.

XLVII. *Bona fide* Creditors shall be permitted to prove, notwithstanding any secret act of Bankruptcy.

XLVIII. Commissioners may order six months' wages or salary to Bankrupts' Servants or Clerks, who may prove under the Commission for any further Claim.

XLIX. Commission shall operate as a Discharge of Indentures to Bankrupts' Apprentices, to whom the Commissioners may order reasonable Remuneration in respect of Apprentices Fees *bonâ fide* paid.

L. Mutual Debts and Credits may be set off, notwithstanding secret act of Bankruptcy.

LI. Debts not payable at the Time of the Bankruptcy may be proved, and give right to Dividends, deducting rebate of Interest at 5 per Cent.

LII. Sureties, and Persons bailing the Bankrupt, or liable for his Debts, may prove, after having paid the Debts.

LIII. Oblige in Bottomy or Respondentia Bonds, and assured in Policy of Insurance, admitted to Claim, and, after Loss, to prove; and Persons effecting Insurance admitted to prove Loss, although not beneficially interested in the Property, if the Proprietor be not within the United Realm.

LIV. Annuity Creditor admitted to prove for the Value of the Annuity, to be ascertained by the Commissioners.



LV. Sureties for Payment of Annuities granted by the Bankrupt, not to be sued for Payment until the Annuitants shall have proved for their Value under the Commission; on Payment to the Annuitant of such proved Value, Surety shall be fully discharged; if Surety shall not so pay, before any Annuity, subsequent to the Bankruptcy becomes due, he may be sued for the accruing Annuities until Payment of the proved Value, with Interest at Four per Cent; after such Payment, the Surety shall stand in place of the Annuitant, the Bankrupt's Certificate operating as a full Discharge to him from the Claims of both, and the Surety having Credit for Dividends received by the Annuitant before such Payment.

LVI. Debts Contingent at the Time of the Bankruptcy may be valued by Commissioners, and the Creditor to prove for that value; but if not valued before the Contingency have happened, the Creditor may, after that event, prove, and receive Dividends with the other Dividends, not disturbing former Dividends.

LVII. Creditors in Bills of Exchange and Promissory Notes overdue at the Bankruptcy, may prove for Interest at the Rate usually allowed by the Court of King's Bench.

LVIII. Plaintiff at Law or in Equity may prove for his Costs, although not taxed at the time of the Bankruptcy.

LIX. Proving a Debt under a Commission to be an Election not to proceed against the Bankrupt by Action; but Creditor having elected to come in under the Commission, if it be afterwards superseded, restored to his former Rights.

LX. Commissioners may, after proper Inquiry, expunge proof of Debts; but Persons requiring Investigation must sign an undertaking for Costs, reserving Right to Petition the Lord Chancellor.

LXI. Assignees to be chosen at second Meeting called under Sec. 25, by Vote of Creditors proving Debts to the Amount of £10, or by an Attorney accredited as by Sec. 46; but Commissioners may reject any Person chosen, as unfit.

LXII. Joint Creditor entitled to prove under separate Commission, for the purpose of Voting in Choice of Assignees; but not to receive Dividend unless he be a petitioning Creditor against one of the Firm.

LXIII. Commissioners to convey to the Assignees the personal Estate of the Bankrupt, and Debts due to him.

LXIV. As also his real Estate (except Copyholds) in England, Scotland, Ireland, or the Colonies; but Conveyances of Colonial Property must be Registered agreeably to the Laws of the Place.

LXV. The Commissioners may likewise make Sale of Hereditaments whereof the Bankrupt is Seized in any Estate-tail, such sale to be effectual against all Persons whom he might cut off by Fine, Recovery, or otherwise.

LXVI. The Lord Chancellor may vacate any Conveyance or Assignment; and direct new, by order, which shall vest the personal Estate in the new Assignees; and new Conveyance of real Estate shall be valid, without any Conveyance from the former Assignees.

LXVII. No Action or Suit shall be abated by the Death or Removal of Assignees.

LXVIII. Commissioners may make Sale of Copyhold Lands for the Benefit of Creditors.

LXIX. Purchasers of Copyhold Lands shall compound with the Lord of the Manor for their Fines.

LXX. Conditional Estates granted by the Bankrupt may, before the Term of Performance of the Conditions, be redeemed by the Assignees, who may afterwards sell the Estate.

LXXI. Where the Bankrupt, by Fraud, makes himself Accountant to the King, the Commissioners may recover the Property, although it have been extended subsequently to the Bankruptcy.

LXXII. Goods in possession, Order, or Disposition of the Bankrupt, may be assigned by the Commissioners; *salvo* of Transfers of Vessels, Registered under 4 Geo. IV. c. 41.

LXXIII. If Bankrupt, being at the Time Insolvent, shall (except upon the Marriage of Children, or for valuable Consideration) have conveyed his Lands or Goods to others, or delivered Securities, or

transferred Debts into other Names, the Commissioners may nevertheless sell the same.

LXXIV. No Distress by Landlord, after Bankruptcy, to be available for more than One Year's Rent previously due, leaving him to come in as a Creditor for the overplus.

LXXV. Bankrupts entitled to Leases, or agreements for Leases, not liable thereafter for Rent or Covenants; if the Assignees accept the same: if they decline, he shall still be Free, on surrendering the Case within Fourteen Days after having had Notice of their Refusal; and, if they decline to Determine, the Lord Chancellor shall settle the Matter, upon Petition.

LXXVI. The Vender of any Estate in Lands may compel the Assignees to elect whether they will abide by or decline the Agreement.

LXXVII. Assignees may execute Powers previously vested in Bankrupts, except the Right of Nomination to vacant Ecclesiastical Benefices.

LXXVIII. The Lord Chancellor may order Bankrupts to join in Conveyances to Purchasers; and his Lordship's order shall be equivalent to such concurrence.

LXXIX. When a Trustee becomes Bankrupt, the Lord Chancellor may order Conveyance or Assignment to other Trustees.

LXXX. Where Bankrupt is beneficially entitled to Stock, all Persons concerned therein may be required to transfer the same, and pay Dividends to Assignees.

LXXXI. All Conveyances, Contracts, Executions, and Attachments, made or levied *bonâ fide*, and without Notice, &c. Two Calendar Months before the Commission valid; Provided, that where a Commission has been superseded, and another issued within Two Calendar Months thereafter, no such Transactions shall be valid, unless it takes place within Two Calendar Months after the Date of the first Commission.

LXXXII. All Payments *bonâ fide* made by and to the Bankrupt without Notice, &c. valid, Notwithstanding Act of Bankruptcy.

LXXXIII. The issuing of a Commission shall be deemed Notice of a prior Act of Bankruptcy, if the Adjudication notified in the *London Gazette*.

LXXXIV. Parties not to be endangered for delivery of Goods to Bankrupt, or to his Order, if they had not Notice of his Act of Bankruptcy.

LXXXV. Notice to accredited Agent of Bodies Corporate, &c. sufficient.

LXXXVI. *Bonâ fide* Purchasers from Bankrupt safe, although having Notice of an Act of Bankruptcy, unless such Act have been followed by Commission within Twelve Calendar Months.

LXXXVII. Titles to Property sold under Commission not to be Impeached, unless Proceedings to supersede be commenced within Twelve Calendar Months from the issuing thereof.

LXXXVIII. Assignees, with consent of a Majority, in Value, of Creditors (called together on Twenty-one Days' Notice in the *London Gazette*,) may compound or submit Disputes to Arbitration, or commence Suits in Equity; or if Meeting not attended by One Third of Creditors in Value, the Assignees may so act, on the Written Consent of the Commissioners.

LXXXIX. Assignees of One or more Members of a Firm may, in Suits, use the Names of Partners, who shall be indemnified, and receive proceeds upon Petition.

XC. In Actions by or against any Person acting under the Commission, no Proof shall at the Trial, be required, of the petitioning Creditor's Debt, Trading, or Act of Bankruptcy, unless upon Notice that those matters are to be disputed.

XCI. Similar Provision made for Suits in Equity.

XCII. Depositions of Bankrupt before Commissioners, conclusive in Actions or Suits by the Assignees against his Debtors, unless he shall, within Two (or if it was out of the United Kingdom, at the issuing of the Commission, Twelve) Calendar Months after the Adjudication, dispute the Commission.

XCIII. If Action or Suit commenced within these respective



Periods the Defendant may pay the Debt into Court, to be paid over to the Assignees, upon lapse of the prescribed time.

XCIV. If the Commission afterwards superseded, Persons from whom the Assignees have recovered, or *bonâ fide* paying the Assignees, &c. discharged from Claims by the Bankrupt.

XCV. Confirms all things done pursuant to Stat. 5. Geo. II. c. 30, which appoints an Office registering Proceedings in Bankruptcy.

XCVI. No Commission, Adjudication, Conveyance, or Certificate, to be received in Evidence, unless entered of Record at such Office; Fees of Recording prescribed. The Lord Chancellor may, upon Petition, direct certain other Matters to be entered; all Persons at liberty to Search; and Certificate of Entry endorsed, to be Evidence of Entry.

XCVII. Office-copies made Evidence in certain Cases, and Costs of producing original Instruments not to be allowed, unless the Production appears to have been necessary.

XCVIII. Commissions, Deeds, and other Instruments relating to Estates and Effects of Bankrupts, not liable to stamp Duty; nor sales to Auction Duty.

XCIX. Pains and Penalties of wilful and corrupt Perjury, to be suffered by those who shall be Convicted of false Swearing, or of false Affirmation, in the case of Quakers, who, on refusing to make Solemn Affirmation, shall incur the Penalties prescribed for Persons refusing to be sworn.

C. All Forfeitures under this Act may be sued for by the Assignees in any Court of Record; and the Money recovered, (*minus* Law-charges) to be divided among the Creditors.

CI. Assignees to keep a Book of Account of Bankrupt's Estate, which shall always be accessible to Creditors; to be produced before Commissioners, on Summons to the Assignees, who, on Failure, may be imprisoned without Bail by the Commissioners, until they submit.

CII. Majority in Value of Creditors, at Meeting for Choice of Assignees, to direct where the Money arising from the Bankrupt's Estate shall be paid in; and failing them, this Duty devolves on the Commissioners.

CIII. Commissioners may direct such Money to be invested in Exchequer Bills, to be disposed of, subject to the Controul of the Lord Chancellor.

CIV. Assignee disobeying direction to pay or invest Money, and retaining or employing it, or permitting Co-assignee to retain or employ it, to be charged with Interest at Twenty *per Cent*.

CV. If Assignee become Bankrupt, having Bankrupt's Estate wilfully retained, his Certificate shall only have the Effect of freeing him from Arrest, but shall not discharge his future Effects in respect of it.

CVI. Commissioners shall audit the Accounts of the Assignees, not sooner than Four Months from the issuing, nor later than Six Months from the last Examination.

CVII. The Commissioners shall not sooner than Four, nor later than Twelve Calendar Months from the issuing, call, upon Twenty-one days' Notice in the *London Gazette*, a Meeting, at which any Creditor may prove his Debt; and the Commissioners shall then and there direct a Dividend among the Creditors, proving, "in proportion to their respective Debts;" but no Dividend shall be declared, without previous audit.

CVIII. Creditors having Security for their Debts, not to receive more than other Creditors, "except in respect of any execution or extent served and levied, by Seizure upon, or any Mortgage of, or Lien upon any part of the Property of such Bankrupt before the Bankruptcy."

CIX. Directs a Final Dividend within Eighteen Calendar Months from the issuing, except there be an Action or Suit depending, or the affairs be not fully wound up, in which case the Funds subsequently accruing, to be divided within Two Calendar Months after being realized.

CX. Assignees shall file, in the Bankrupt Office, an Account of

unclaimed Dividends remaining in their Hands, or otherwise be liable for Interest thereon at Five per Cent, with such further Sum as the Commissioners shall think fit, not exceeding in "the whole Twenty Pounds per Cent. per Annum." And the Lord Chancellor, or Commissioners, may order the Investment of such Dividends to be divided, after Three Years, among the Creditors.

CXI. No Action to be brought against Assignees for Dividends, the remedy being by Petition to the Lord Chancellor.

CXII. Bankrupt not surrendering and submitting to be examined, or not making discovery of his Estate and Effects, or not delivering up his Goods, Books, &c. or removing or embezzling Property to the Value of Ten Pounds "with intent to defraud his Creditors," shall be deemed guilty of Felony, punishable by Transportation for Life, or for a Term not less than Seven Years, or by Imprisonment, with or without hard Labour, not exceeding Seven Years.

CXIII. The Lord Chancellor may enlarge the Time for, the Bankrupt surrendering himself.

CXIV. Commissioners and Assignees, after being chosen with Written Approbation of the Commissioners, may make allowance to the Bankrupt out of his Estate, until the last examination, for the support of himself and his family.

CXV. Bankrupt apprehended to have the same Benefit, on conforming, as if he had voluntarily surrendered.

CXVI. Bankrupt to deliver up his Books of Accounts to the Assignees upon Oath; to attend them upon reasonable Notice, under pain of Imprisonment; may inspect the Accounts; and after allowance of his Certificate, to attend Assignees in settling Accounts—having for his Attendance Five shillings per Diem.

CXVII. To be free from Arrest during Examination, if not in Custody; and, if arrested, to be, on producing Summons, discharged by the Officer, under Penalty of Five Pounds for every day's Detention thereafter.

CXVIII. Commissioners may, by Indorsement on the Summons, adjourn the last Examination *sine die*; the Bankrupt's protection continuing, under the Penalty specified in last Section.

CXIX. Bankrupt in Custody may be brought before the Commissioners at the expense of the Estate; and the Assignees may appoint Persons to attend him in prison.

CXX. Persons concealing Bankrupt's real or personal Estate to forfeit One Hundred Pounds with double the Value of the Property; and those who voluntarily discover to the Commissioners or Assignees any part of his Estate, to have an allowance of Five per Cent. and further reward at discretion of a Majority in value of the Creditors.

CXXI. Bankrupt to be discharged by Certificate of conformity; but such Certificate shall not release his Partners or co-obligants.

CXXII. Certificate to be signed by Four-fifths, in number and value, of Creditors, proving for Twenty Pounds or upwards; after Six Months, by Three-fifths in number and value, or Nine-tenths in number; and to be completed by the Lord Chancellor's allowance, against which any Creditor may be heard.

CXXIII. Rule as to Petitions for the allowance of Certificates prescribed under 5 Geo. IV. c. 98, hereby repealed.

CXXIV. Proof of Signature of Creditors, the same as by Sec. 46.

CXXV. Contracts and Securities to induce Creditors to sign Certificate void.

CXXVI. Bankrupt having obtained his Certificate, free from Arrest; Certificate Evidence of Proceedings under the Commission; and, if Bankrupt in execution, he may be ordered to be discharged.

CXXVII. When he has been Bankrupt before, or has compounded, or taken the benefit of any Insolvent Act, unless Fifteen Shillings in the Pound is paid, his future Effects shall vest in the Assignees notwithstanding Certificate.

CXXVIII. Allowance to Bankrupt Five per Cent. and not exceeding Four Hundred Pounds, if Ten Shillings paid in the Pound; Seven and a half per Cent. and not exceeding Five Hundred Pounds, if Twelve Shillings and Six Pence; Ten per Cent. and not exceeding Six Hundred Pounds, if Fifteen Shillings, but if under Ten



Shillings, not exceeding Three per Cent. and Three Hundred Pounds.

CXXXIX. Partner may receive allowance, although the others are not entitled.

CXXX. Bankrupt not entitled to Certificate or Allowance, and Certificate if obtained, void, if he has lost by gaming or wagering Twenty Pounds in One Day, or Two Hundred Pounds within Twelve Months; or Two Hundred Pounds, by Stock-jobbing; or destroyed his Books, &c. or concealed Property to the Value of Ten Pounds, or permitted fictitious Debts to be proved.

CXXXI. Bankrupt not liable upon any promise to pay Debt discharged, unless such promise be in writing.

CXXXII. Assignees, in case of surplus, shall account and pay it to the Bankrupt; and in that case all Debts to carry Interest.

CXXXIII. Nine-tenths in number and value of Creditors, may accept offer of composition, which shall bind the rest.

CXXXIV. Prescribes the mode of deciding upon such offer, by Creditors.

CXXXV. This Act to be construed beneficially for Creditors, not to alter the present Practice in Bankruptcy, except where expressly so declared; shall extend to aliens, denizens, and women; declares subsisting Commissions valid; but not to "extend either to Scotland or Ireland, except where the same are expressly mentioned."

CXXXVI. Not to take effect before First September One Thousand Eight Hundred and Twenty-five; save and except that the Repeal of the Act passed in the Fifth Year of the Reign of His present Majesty, hereby repealed, and all enactments herein contained relating to Certificates of conformity, shall take effect upon the passing of this Act.

## Anno Quinto Georgii IV. Regis.

### CAP. LXXXVIII.

*An Act to authorize the East India Company to trade direct from China to the British Colonies and Plantations in America.* [21st June 1824.]

WHEREAS it is expedient that the United Company of Merchants of *England* trading to the *East Indies*, on their own Account, or by Persons to be licensed by them, should be authorized by Law to Export direct from *China* to the *British Colonies* and Plantations in *America*, Tea and other Merchandize: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the said United Company,

and also for any other of His Majesty's Subjects, with the Special Leave and Licence of the said United Company in Writing, or a Special Leave and Licence in Writing under their Authority for that Purpose, to export in Ships navigated according to Law, from any Port or Ports within the Dominion of the Emperor of *China* any Tea, or other Goods, Wares, or Merchandize, the Produce or Manufacture of any Country within the Limits of the said Company's Charter, and to carry and import the same direct into any of the *British Colonies* or Plantations in *America*; any Law, Statute, Charter, or Usage, to the contrary notwithstanding.

or Persons licensed by them, may trade direct between *China* and *British Colonies* in *America*.







